

CHAPTER 4. SUBDIVISION REGULATIONS

ARTICLE A. SUBDIVISION REGULATIONS

Sec. 10-4001. TITLE AND PURPOSE

The title of these regulations shall be known as "The Subdivision Regulations of East Point, Georgia."

These rules and regulations are intended to serve the following purposes, among others:

1. To protect and promote the health, safety, and general welfare of the residents of East Point.
2. To encourage economically sound and stable land developments.
3. To assure the adequate provision of streets, access, utilities, and other facilities and services to new land developments in conformance with public improvement standards and regulations of East Point, Georgia.
4. To assure the adequate provision of safe and convenient traffic access, connectivity to other developments or facilities, and efficient circulation (both vehicular and pedestrian) in new land developments.
5. To assure the provision of needed open space and building sites in new land developments through dedication or reservation of land for recreational, educational, environmental, green space, bikeways and pedestrian trails, and other public purposes.
6. To assure equitable handling of all requests for the development of land by providing uniform procedures and standards for the subdivider.
7. To establish minimum standards of development, however the use of LEED (Leadership in Energy and Environmental Design) certified materials and methods are not prohibited but encouraged.

Sec. 10-4002. AUTHORITY AND APPLICATION

The development rules and regulations are adopted under the authority of Article IX, Section II, Paragraph IV and Article IX, Section II, Paragraph I of the 1983 Constitution of the State of Georgia.

Any subdivider of land within East Point shall submit to the Director of Planning and Zoning a preliminary plat of the proposed development conforming to all requirements set forth in these regulations and any other applicable City, state and federal regulations. Once the preliminary plat is approved, a final plat must be filed which conforms to all requirements set forth in these regulations.

No person, firm, corporation, owner, agent or subdivider shall sell, transfer or agree to sell any subdivided land without the preliminary or final plat of that development having been approved by the Director of Planning and Zoning.(Ord. No. 024-015, 01/20/2015)

No subdivider shall proceed with any construction work on the proposed development, including clearing, grading or grubbing, before obtaining the appropriate approvals and permits.

No land shall be dedicated, opened, extended or accepted as a public street or for any other public purpose before obtaining final approval from the Director of Public Works and accepted by City Council under a separate action.(Ord. No. 024, 015, 01/20/2015) The approval shall be entered in writing on the Final Plat by the Director of Public Works. Any subdivider of development for public purpose (other than streets) shall be transferred by deed.

No building permit shall be issued within the area of East Point unless legal access is provided to a public street or a private street approved under the terms of these rules and regulations.

In residential developments, building permits may be issued on the basis of any approved minor plat, preliminary or final plat only after the approval of the Director of Planning and Zoning.(Ord. No. 024-015, 01/20/2015)

The divisions of development by court order, including but not limited to judgments of foreclosure or consolidation and disbursement of existing lots by deed or other recorded instruments, shall not be considered a development for purposes of, and shall not obviate the necessity for compliance with, these regulations.

The subdivider shall be allowed one (1) building permit for a model home for each fifteen (15) lots located in the proposed development, provided the subdivider provides an Agreement to Install Improvements Form and a cash surety equal to 125% of the cost for the remaining infrastructure improvements, based on written estimates by the design professional for the project.

The following shall apply for lots where model homes are allowed:

1. The lots shall be located within 300 feet of an active fire hydrant;
2. Main sewer and water lines for these lots shall be installed by the developer and be subject to review and approval by East Point, installation of these lines shall take place prior to issuance of the Certificate of Occupancy; and
3. The lots shall have a minimum of twenty (20) foot wide fire access road extending from a paved public street to within 100 feet of the proposed structure.

Sec. 10-4003. PURPOSE

Words not defined herein shall be construed to have the meaning given by Webster's New Collegiate Dictionary, eleventh edition.

Sec. 10-4004. DEFINITIONS

Unless otherwise expressly stated, the following terms shall have the meaning herein indicated.

Alley or Service Drive: A minor, permanent vehicular service access to the back or the side of properties otherwise abutting a street.

Bike Paths: These paths serve to separate bicycle riders from vehicle and pedestrian traffic. Bike paths can meander through wooded areas, traverse the edge of open areas, and may (in many instances) parallel existing roadways or walks.

Block: A parcel of land or lots entirely surrounded by public or private streets, other than alleys.
City Council: The City Council of East Point, Georgia.

Buildable Area: That portion of a lot where buildings and specified structures may be located after all minimum yards, buffers, landscape strips, and other setbacks have been met.

Building Setback Line: A graphic representation of the required minimum horizontal distance between a building and the related front, side, or rear development lines which establish the minimum space to be provided between the building and development line(s).

Comprehensive Plan: A set of documents approved by the East Point City Council which sets forth desired long range development patterns for East Point.

Crosswalk: A right-of-way dedicated to public use, four (4) feet or more in width, that crosses a street and furnishes a specific area for pedestrian movements at an intersection.

Cul-de-sac: A street having only one connection to another street and being permanently terminated by a vehicular turnaround.

Cul-de-sac, Temporary: A street having one end open to traffic and being temporarily terminated by a vehicular turn-around. This temporary termination is to provide connectivity to future developments.

Department: Planning and Zoning Department, East Point, Georgia.

Director: The Director of the East Point Planning and Zoning Department, or his/her designee.

Driveway, access or shared: A paved area used for ingress or egress of vehicles, and allowing access from a street to a building, other structure or facility.

Driveway, Single-family Residential, access or shared (Private Drive): A paved or unpaved area used for ingress or egress of vehicles which allows access from a street to a building, other structure, or facility for no more than three (3) single-family residential lots.

Easement: A grant by the development owner for use by the grantee of a portion of land for specified purposes.

Land Disturbance Permit: An official authorization issued by the Department, allowing defoliation or alteration of a site or the commencement of any construction activities, including, but not limited to, clearing, grubbing, dredging, grading, excavating, transporting, and filling of land, but not including agricultural practices as defined in the Official Code of Georgia Annotated 1-3-3 (O.C.G.A.).

Lot: The basic lawful unit of land, identifiable by a single deed established by plat, development, or as otherwise permitted by law, to be separately owned, used, developed, or built upon. In determining the area and dimension of a lot, no part of right-of-way of a road or crosswalk may be included.

Lot, Minimum Lot Size: The smallest permissible lot area established by the Zoning Ordinance or conditions of zoning.

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

Lot, Double/Multiple Frontage: A lot other than a comer lot abutting two or more streets that may or may not intersect at that lot.

Plat: A map indicating the development or re-development of land, intended to be filed for recording.

Plat, Final: A finished drawing of a development that provides a complete and accurate depiction of all legal and engineering information required by the Subdivision Regulations. Certification for recording and ratification of the final plat is required by the Director of Planning and Zoning, the Director of Public Works and City Council by consent.(Ord. No. 024-015, 01/20/2015)

Plat, Minor - A finished drawing of a development of no more than three (3) lots that, at the time of development, does not necessarily, but may involve a land disturbance permit, new streets, the extension of a utility or other municipal facilities and depicts all legal and engineering information required by these Subdivision Regulations.(Ord. No. 024-015, 01/20/2015)

Plat, Preliminary - A finished drawing of a development of four (4) or more lots that, at the time of development, does not necessarily, but may involve a land disturbance permit, new streets, the extension of a utility or other municipal facilities and depicts all legal and engineering information required by these Subdivision Regulations.(Ord. No. 024-015, 01/20/2015)

Right of Way Dedication and Reservation Plan: An element of the East Point Comprehensive Plan maintained by the Department of Public Works which includes guidelines and/or procedures for the dedication and reservation of rights-of-way along public roadways.

Standard Details: Illustrative minimum standards for land development activities authorized under the land development regulations of the City. These standards shall not supercede more restrictive prudent design requirements or good engineering practices as applied to specific situations on a case-by-case basis. All construction shall meet or exceed the East Point minimum standards established by the Georgia Department of Transportation.

Street, private: A street that has not been dedicated to the municipality or other government entity.

Street, public: A dedicated and accepted right-of-way for vehicular traffic.

Street Classifications: The classification of streets based on functions, from high-traffic arterial roads to low traffic residential streets. The following are definitions intended to distinguish between different street classifications. All Roadways are classified per the Georgia Department of Transportation:

Freeway: A multi-lane roadway that has full access control and separation of directional traffic. Freeways accommodate large volumes of high speed traffic and provide efficient movement of vehicular traffic for interstate and major through travel.

Principal Arterial: A roadway that has partial or no access control, and is primarily used for fast or large volumes of traffic. Emphasis is placed on mobility rather than access to adjacent land.

Minor Arterial: A roadway that has partial or no access control and is primarily used for inter- connectivity of principal arterials and placing more emphasis on access to adjacent land over mobility.

Collector: A roadway that has partial or no access control and has more emphasis on access to adjacent land over mobility than arterials. The primary purpose is to distribute trips to and from the arterial system and allow access to the local roads.

Local: Any roadway that has no access control, and places strong emphasis on access to adjacent land over mobility while service to through traffic is discouraged.

Full Access Control: Preference is given to through traffic by providing access connections only with selected public roads and by prohibiting crossings at grade and direct private connections.

No Access Control: Preference is generally given to access to adjacent land rather than mobility.

Partial Access Control: Preference is given to through traffic to a degree that, in addition to connection with selected public roads, there may be some crossing at grades, but private connections shall be prohibited.

Frontage Street: A road that typically runs parallel to a partial access controlled roadway, a full access controlled facility, or a railroad. Frontage roads provide public access to the adjacent parcels, help control access to the major facility, and/or maintain circulation of traffic on each side of the major facility.

Street, Residential: The following definitions are intended to distinguish between different categories of streets internal to residential developments:

Major Development Street: A local road internal to a development which serves 50 or more housing units. These units do not have to be directly served by the major development street. Major development streets are roads that serve as collectors for the development traffic. Any residential street which accesses a collector or arterial road as set forth in 3.2.30 shall be considered a major development street for the first 300 feet regardless of housing unit service.

Minor Development Street: A local road internal to a development which serves fewer than 50 housing units and does not access a collector or arterial road as set forth in 3.2.30.

Housing Unit Service: The number of housing units served by a street or collection of streets shall be the aggregate number of housing units provided, or potentially to be provided, with driveway access directly from the street(s) plus the number of units utilizing or potentially utilizing the street(s) for through traffic movements. Such calculations shall be made beginning and ending at the same street intersection.

Stub-out street: A street having one end open to traffic and being temporarily terminated at the other. Stub-outs generally do not have a temporary vehicular turn-around. This temporary termination is to provide connectivity to future developments and may be constructed without curb and gutter provided such stub-out street meets the standards of the East Point Fire Department.

Subdivider: Any development owner, person, individual, firm, partnership, association, corporation, estate, trust, agent of development owner, or any other group or combination acting as a unit dividing or proposing to divide land so as to constitute a development as herein defined.

Development, residential and non-residential: Any division of a lot, tract or parcel, regardless of its existing or future use, into two (2) or more lots, tracts or parcels. The term "development" may mean the act or process of dividing development, except that, where appropriate to the context, the term "development" may be used in reference to the aggregate of all lots held in common ownership at the time of development.

Traffic Mitigation Action Plan: A plan that studies and addresses the number of trips a development will produce when such development results in the reduction of the level of service

on any roadway currently functioning at "D" or worse in accordance with the City Transportation Standards. This plan shall include, but is not limited to, roadway improvements and other proposals such as providing transit access, transit use incentives, car/van pooling, bicycle path construction, off-site and internal sidewalk construction, and lunch trip reduction. Such plan shall mitigate the traffic impact in a manner that will show no negative impact on roads with level of service of "D" or worse.

Trails, Pedestrian or others: Extended and usually continuous strips of land established independently of other routes of travel and dedicated, through ownership or easement, to recreational travel including hiking, horseback riding, etc.

Utility Accommodations - Guidelines and Procedures: A City program maintained by the Department of Public Works which includes installing, maintaining, repairing, operating, or using a pole line, buried cable, pipeline, or miscellaneous utility facility, and performing miscellaneous operations authorized by a utility permit.

Utility Permit: An official authorization issued by the Department of Public Works, allowing alteration of land within the right-of-way for the commencement of any construction activities pertaining to utility installation or relocation.

Zoning Ordinance - The Zoning Ordinance of East Point, Georgia.

Sec. 10-4005. REQUIREMENTS

All proposals to subdivide combine or recombine parcels of land under the provision of these regulations shall be in compliance with the East Point Standard Procedures and Guidelines for Subdividing Development.

All preliminary plats, and minor plats shall require the subdivider to follow the Community Zoning Information Meeting process of the City of East Point. Refer to Article L of the zoning regulations for process.

Proposals for the development, combination or recombination of lawful previously platted lots or parcels, or portions thereof, shall be in compliance with the Zoning Ordinance, as amended.

If construction activity contemplated results in the disturbance of an area of 5,000 square feet or more, a land disturbance permit must be approved along with any building permit prior to construction.

Where a proposed lot fronts an existing public street, the subdivider shall improve the street along the lot's frontage to the applicable standards of these regulations and any Standard Details as determined by the Director of Public Works.

All slope, drainage and utility easements, as well as necessary right-of-way widths (as determined by the Director of Public Works) on an existing public street, paved or unpaved, shall be provided by the subdivider at no cost to East Point.

Each proposed lot shall comply with the requirements of the Fulton County Department of Health, whose certification of approval shall accompany the submission of the final plat to the Director of Planning and Zoning.

Each lot created under the provisions of a minor plat shall not subsequently be re-subdivided pursuant to the provisions of a minor plat.

For the division of land in O-I-T, C-1, C-2, MIX, and I-1 and I-2 Zoning Districts, after initial development of the development, the following standards shall also apply:

- A. A proposed lot fronting an existing public street shall contain the necessary frontage required by the East Point Zoning Ordinance.
- B. The subdivider shall submit documentation of the necessary easements providing for access to a public street for proposed lots that front only on an existing, documented, paved private street or driveway.
- C. All slope, drainage and utility easements, as well as necessary street rights-of-way (as determined by the Director of Public Works) shall be provided by the subdivider at no cost to East Point.

PROCESS

Sec. 10-4006. MINOR PLAT

Pursuant to these regulations, application for Minor Plat approval shall be submitted to the Department of Planning and Zoning and reviewed by staff in departmental plan review if no new infrastructure is required. If found compliant a permit shall be issued which shall continue in effect for a period of one (1) year or for as long as construction activity is continuous. Accordingly, if the certificate of Minor Plat expires, a new application shall be submitted and shall be subject to the regulations in effect at the time of such submission.

The minor plat shall be recorded with the Fulton County Clerk of Superior Court in accordance with the department's plat submittal guidelines before any building permits will be issued. (Ord. No. 024-015, 01/20/2015)

Sec. 10-4007. PRELIMINARY PLAT

Pursuant to these regulations, application for Preliminary Plat approval shall be submitted to the Department of Planning and Zoning and reviewed by staff in departmental plan review. If found compliant a permit shall be issued which shall continue in effect for a period of one (1) year or for as long as construction activity is continuous and at least twenty-five (25) percent of the land area within the plan has received Final Plat approval. Accordingly, if the certificate of Preliminary Plat expires, a new application shall be submitted and shall be subject to the regulations in effect at the time of such submission.

The preliminary plat shall be recorded with the Fulton County Clerk of Superior Court in accordance with the department's plat submittal guidelines before any land disturbance and/or building permits will be issued.(Ord. No. 024-015, 01/20/2015)

Sec. 10-4008. LAND DISTURBANCE PERMIT

Following the approval of the Preliminary Plat, site development plans shall be submitted for approval prior to any defoliation or the commencement of development activities on the subject development. Approval of such plans shall result in the issuance of a duly authorized Land Disturbance Permit, which, along with the approved plans, must be maintained on the site until all site work as proposed and approved is completed.

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued, except that the Director of Public Works is authorized to grant a maximum of two extensions of time not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Prior to the issuance of a Land Disturbance Permit, an Indemnity Agreement Form must be filed by the subdivider protecting East Point against damage, repair and/or maintenance claims and liability arising out of drainage problems. The Director of Public Works, or his/her designee, is hereby authorized to execute such agreements on the behalf of the City.

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Director is authorized to grant, in writing, a maximum of two extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Sec. 10-4009. FINAL PLAT

A. Whenever the provisions of these rules and regulations have been complied with and while the Preliminary Plat approval is in effect, the subdivider may submit to the Director of Public Works an application for Final Plat review and approval pursuant to these regulations. All required infrastructure shall be completed and approved, or performance bonds for a portion of such improvements shall be filed in accordance with section 10-4009 (C) of this regulation.

B. The Final Plat shall be submitted and drawn to the specifications of the Georgia Plat Act and standards of East Point.

C. Prior to approval or recording of a final plat, the following must be provided by the subdivider, or the designee thereof:

1. Cash assurance in an amount equal to 125% of the cost of infrastructure improvements not yet in compliance. Said cash bond shall be maintained until the improvements have been approved by the City;
2. Maintenance bond to ensure the viability of infrastructure improvements;
3. Drawings demonstrating the "as-built" conditions of the site
4. An electronic format acceptable to the Public Works Department containing data about the sanitary sewer and water systems where available;
5. Signed release of the project by the City Engineer;
6. Recorded deed to City Engineer for any dedicated space;
7. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line and building line whether curved or straight. This shall include but not be limited to the radius, length of arc, internal angles and tangent distance for the center line of curved streets and curved property lines that are not the boundary of curved streets;
8. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites;
9. All dimensions shall be accurate to the nearest one-tenth of a foot and all angles accurate to the nearest minute;
10. Name and right-of-way width of each street or other right-of-way;
11. House numbers;
12. Title, name and location of subdivision, north arrow, date, scale and land lot and district numbers;
13. Location, dimensions and purposes of any easements and any areas to be dedicated to public use or sites for other than residential use with notes state their purposes and limitations;
14. Lots or sites numbered in numerical order and blocks lettered alphabetically;
15. Accurate location, material and description of monuments and markers;
16. Certification showing that applicant is the landowner and dedicates streets, rights-of-way and any sites for public use;

17. Certification by the department of public works, water system and the city engineer that the subdivider has complied with one of the following alternates:

1. All improvements have been installed in accordance with the requirements;
2. A performance bond has been posted in sufficient amount to assure completion of all required improvements;
3. Any other guarantees of satisfactory completion of required improvements acceptable to the various departments.

18. Certification of the city engineer of acceptance of street design and improvements;

19. Engineer's or surveyor's acknowledgement:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

TABLE INSET:

By: _____	Reg. C. E. No. _____
	Reg. Ga. Land
	Surveyor
	No. _____

20. Owner's acknowledgment:

STATE OF GEORGIA, COUNTY OF FULTON.

The owner of the land shown on this plat and whose name is subscribed hereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey and dedicates to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purposes and considerations therein expressed.

_____ Owner

21. Approval of the City Council evidenced by signature of the City Clerk:

This plat has been reviewed and considered by the City's service delivery departments of East Point, and is approved by consent of City Council subject to the protective covenants shown here.

Dated this _____ day of _____

By: _____ City Clerk, City of East Point
(Ord. No. 024-015, 01/20/2015)

23. Protective covenants, if any, shall be shown on the final plat.
 24. If public water and sewer connections are not available, the city engineer shall require certification by the director of the division of public health engineering of the county health department that septic tanks and drain fields will be approved.
 25. After approval of a preliminary plat the subdivider shall prepare a final plat and submit twelve (12) copies of same to the city engineer. (Ord. No. 024-015, 01/20/2015)
 26. The final plat shall be considered by the city engineer, and if found to be in order and in compliance with the provisions of this chapter and other city ordinance requirements, final approval shall be given by the city engineer. (Ord. No. 024-015, 01/20/2015)
 27. No final plat shall be approved unless it has:
 - a. The certification of a registered engineer or land surveyor that the details of the plat are correct;
 - b. Space for approval, date and signature of the city engineer;
 - c. Space for consent of city council evidenced by the signature of the city clerk as set forth in section 10-4009(21).(Ord. No. 024-015, 01/20/2015)
 28. Satisfactory evidence that all taxes and encumbrances of the land to be dedicated as streets or alleys or for the other public purposes have been satisfied of record; and
 29. Upon satisfactory completion of all required subdivision improvements, the developer shall submit warranty deeds and/or other conveyances satisfactory to the City Attorney for easements, streets, alleys, parks, rights-of-way or other open space conveyed to the city. Upon favorable recommendation of the City Engineer and the City Attorney, the City Council will take appropriate action to accept such dedications.
- D. Having been certified by the City Engineer as compliant to these and other applicable regulations, the final plat shall be recorded with the Clerk of the Superior Court of Fulton City.
- E. The final plat shall be considered approved at the time of the certification by the Planning and Zoning Commission, and shall be presented for consent by the City Council at the next regularly scheduled meeting.

Should the Director not approve any development plat, the basis for the denial shall be stated in writing to the applicant. The subdivider may file an appeal in accordance with Article I of these regulations.

Sec. 10-4010. GENERAL PRINCIPLES OF THE LAND

Sec. 10-4011. SUITABILITY OF THE LAND

Land subject to flooding, improper drainage, erosion, and deemed unsuitable for development in accordance with East Point standards shall not be platted for any use that may continue such conditions or increase danger to health, safety, life, or development unless steps are taken to eliminate the above-mentioned hazards.

Sec. 10-4012. ACCESS

Unless otherwise herein noted, every development shall be served by publicly dedicated streets or private streets in accordance with the following:

- A. The proposed streets shall meet East Point standards and regulations.
- B. No road intended to be private is to be extended to serve development outside that development unless approved by the Department of Public Works.
- C. In residential developments, the private roads shall be maintained by a mandatory homeowners' association and documents of incorporation shall be submitted to the Director for review and approval prior to the recording of the final plat.
- D. The subdivider shall provide all necessary easements for ingress and egress for police, fire, emergency vehicles and all operating utilities.
- E. The final plat of any development that contains private streets shall clearly state that such streets are private streets.

When land is subdivided, created parcels shall be arranged and designed so as to allow for the opening of future streets and provide access to those areas not presently served by streets.

No development shall be designed so as to completely eliminate street access to adjoining parcels of land without current street access.

Lots may share access as stipulated herein. Lot frontage and access do not necessarily have to be along or front the same public street, if approved by the Director of Public Works.

The Director of Public Works shall have the right to encourage design of the development in a manner that will:

- A. enhance traffic circulation and other community needs;

- B. encourage pedestrian traffic to schools, parks, existing and planned greenspace corridors, and neighborhood shopping centers;
- C. reduce impacts on streams and lakes;
- D. reduce unwanted noise, lights on neighboring lots; and
- E. discourage vehicular speeding on local streets.

Sec. 10-4013. CONFORMANCE TO THE CITY COMPREHENSIVE PLAN

All proposed developments shall conform to the City Comprehensive Plan and development policies in effect at the time of submission.

The Director of Planning and Zoning shall not approve plats when such planned features, as specified by the Comprehensive Plan, are not incorporated into the plat.

Whenever the plat proposes the dedication of land for public use and the Director of Planning and Zoning or the appropriate agency finds that such land is not required consistent with appropriate agency plans, policies, or priorities, the Director of Planning and Zoning may either refuse to approve the plat, or require the rearrangement of lots to include such land.

If a development is proposed within one mile of any roadway operating at a Level of Service D or worse, in accordance with the City Transportation Standards, a Traffic Mitigation Action Plan must be submitted and approved by the Director of Public Works prior to issuance of a Land Disturbance Permit.

Greenspace, when referred to in this Ordinance, shall mean a permanently protected land including agricultural and/or forestry land that is in its undeveloped, natural state or that has been developed only to the extent consistent with, or is restored to be consistent with, one or more of the following purposes:

- A. Water quality protection for rivers, streams, and lakes;
- B. Flood protection;
- C. Wetlands protection;
- D. Reduction of erosion through protection of steep slopes, areas with erodible soils, and stream banks;
- E. Protection of riparian buffers and other areas that serve as natural habitat and corridors for native plant and animal species;
- F. Scenic protection;

- G. Protection of archaeological and historic resources;
- H. Provision of recreation in the form of boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, and similar outdoor activities; and
- I. Connection of existing or planned areas contributing to the purposes set out in this section.

Sec. 10-4014. ZONING AND OTHER REGULATIONS

No development shall be created or recorded that does not comply with the standards of the East Point Zoning Ordinance and/or the approved conditions of zoning for the development.

Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, building codes, or other official regulations or ordinances, the most restrictive shall apply unless set forth in the conditions of zoning.

All proposed developments shall comply with the City Storm Water Design Manual.

Sec. 10-4015. MODIFICATION

Modifications of the provisions set forth in these regulations may be approved by the Director of Planning and Zoning when granting of such modification will not adversely affect the general public or nullify the intent of these regulations.

Should the Director of Planning and Zoning deny a request to modify in accordance with Section 10-2192 the applicant may appeal the Director's decision in accordance with Article I of these regulations.

Sec. 10-4016. ADMINISTRATIVE VARIANCE

The Director of Planning and Zoning is authorized by this Ordinance to consider an Administrative Variance whenever a property owner maintains that a provision contained in the East Point **DEVELOPMENT REGULATIONS**, as applied to a specific situation, is not in the best interest of the public health, safety and welfare; whenever there is a request for the alteration of the 10 foot improvement setback required along all buffers as required in the conditions of zoning and/or in **CHAPTER 6 TREE PROTECTION AND LANDSCAPE ORDINANCE**; and **whenever there is a request up to a 10% reduction in the number of required parking spaces per Article E. ADMINISTRATIVE REDUCTION OF SPACES CONSTRUCTED.**

ARTICLE B. CONSERVATION DEVELOPMENT

Sec. 10-4017. PURPOSES

- (a) To provide for the preservation of greenspace as a nonstructural stormwater runoff and watershed protection measure.
- (b) To provide a residential zoning district that permits flexibility of design in order to promote environmentally sensitive and efficient uses of the land.
- (c) To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
- (d) To permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
- (e) To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
- (f) To promote interconnected greenways and corridors throughout the community.
- (g) To promote contiguous greenspace with adjacent jurisdictions.
- (h) To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
- (i) To encourage street designs that reduce traffic speeds and reliance on main arteries.
- (j) To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.
- (k) To conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.
- (l) To preserve important historic and archaeological sites.

Sec 10-4018. GENERAL REGULATIONS

- (a) *Applicability of regulations.* This conservation subdivision option is available in the following residential zoning districts: AG-1, R-1, R1-A, R-L, CUP and MIX as a use by right for projects ten (10) acres or more in size. Applicants shall comply with this ordinance as well as all other provisions of the zoning code and all other applicable laws, except those that are incompatible with the provisions contained herein.
- (b) *Ownership of development site.* The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site

shall be developed according to a single plan with common authority and common responsibility.

(c) *Housing density determination.* The maximum number of lots in the conservation subdivision shall be determined by either of the following two (2) methods, at the discretion of the local jurisdiction:

- (1) *Calculation:* The maximum number of lots is determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning. In making this calculation, the following shall not be included in the total area of the parcel:
 - a. Slopes over twenty-five (25) percent of at least five thousand (5,000) square feet contiguous area;
 - b. The 100-year floodplain;
 - c. Bodies of open water over five thousand (5,000) square feet contiguous area;
 - d. Wetlands that meet the definition of the Army Corps of Engineers pursuant to the Clean Water Act; or
 - e. Anticipated right-of-way needs for roads and utilities.
- (2) *Yield plan:* The maximum number of lots is based on a conventional subdivision design plan, prepared by the applicant, in which the tract of land is subdivided in a manner intended to yield the highest number of lots possible. The plan does not have to meet formal requirements for a site design plan, but the design must be capable of being constructed given site features and all applicable regulations.

Sec. 10-4019. APPLICATION REQUIREMENTS

(a) *Site analysis map required.* Concurrent with the submission of a site concept plan, applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed open space will meet the requirements of this article. The preliminary site plan shall include the following features:

- (1) Property boundaries;
- (2) All streams, rivers, lakes, wetlands and other hydrologic features; (3) Topographic contours of no less than ten-foot intervals;
- (4) All primary and secondary conservation areas labeled by type, as described in section 10-4020;
- (5) General vegetation characteristics;

- (6) General soil types;
- (7) The planned location of protected open space;
- (8) Existing roads and structures; and
- (9) Potential connections with existing greenspace and trails.

(b) *Open space management plan required.* An open space management plan, as described in section 10-4020, shall be prepared and submitted prior to the issuance of a land disturbance permit.

(c) *Instrument of permanent protection required.* An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and as described in section 10-4020, shall be placed on the open space concurrent with the issuance of a land disturbance permit.

(d) *Other requirements.* The applicant shall adhere to all other applicable requirements of the city's underlying zoning and subdivision regulations.

Sec. 10-4020. OPEN SPACE

(a) *Definition.* "Open space" is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the open space are restricted in perpetuity through the use of an approved legal instrument.

(b) *Standards to determine open space.*

- (1) The minimum restricted open space shall comprise at least forty (40) percent of the gross tract area.
- (2) The following are considered primary conservation areas and are required to be included within the open space, unless the applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this article:
 - a. The regulatory 100-year floodplain;
 - b. Buffer zones of at least seventy (75) feet in width along all perennial and intermittent streams;
 - c. Slopes above twenty-five (25) percent of at least five thousand (5,000) square feet contiguous area;
 - d. Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act;

e. Populations of endangered or threatened species, or habitat for such species;
and

f. Archaeological sites, cemeteries and burial grounds.

(3) The following are considered secondary conservation areas and should be included within the open space to the maximum extent feasible.

a. Important historic sites;

b. Existing healthy, native forests of at least one (1) acre contiguous area;

c. Individual existing healthy trees greater than eight (8) inches caliper, as measured from their outermost drip line;

d. Other significant natural features and scenic view sheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads;

e. Prime agricultural lands of at least five (5) acres contiguous area; and

f. Existing trails that connect the tract to neighboring areas.

(4) Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected Open Space but cannot be counted towards the forty (40) percent minimum area requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the open space.

(5) At least seventy-five (75) percent of the open space shall be in a contiguous tract. The open space should adjoin any neighboring areas of open space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected open space.

(6) The open space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the open space.

C. *Permitted uses of open space.* Uses of open space may include the following:

(1) Conservation of natural, archeological or historical resources;

(2) Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;

(3) Walking or bicycle trails, provided they are constructed of porous paving materials;

(4) Passive recreation areas;

- (5) Active recreation areas, provided that they are limited to no more than ten (10) percent of the total open space and are not located within primary conservation areas. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected open space;
 - (6) Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, and such activities are not conducted within primary conservation areas;
 - (7) Nonstructural stormwater management practices;
 - (8) Easements for drainage, access, and underground utility lines; or
 - (9) Other conservation-oriented uses compatible with the purposes of this ordinance.
- (d) *Prohibited uses of open space.*
- (1) Golfcourses;
 - (2) Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections;
 - (3) Agricultural and forestry activities not conducted according to accepted Best management Practices; and
 - (4) Other activities as determined by the applicant and recorded on the legal instrument providing for permanent protection.
- (e) *Ownership and management of open space.*
- (1) Ownership of open space. The applicant must identify the owner of the open space who is responsible for maintaining the open space and facilities located thereon. If a homeowners association is the owner, membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. Also, the homeowners association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the open space and any facilities located thereon shall be borne by the owner.
 - (2) Management plan. Applicant shall submit a plan for management of open space and common facilities ("plan") that:
 - a. Allocates responsibility and guidelines for the maintenance and operation of the open space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;

- b. Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the open space and outlines the means by which such funding will be obtained or provided;
 - c. Provides that any changes to the plan be approved by the City Council; and
 - d. Provides for enforcement of the plan.
- (3) In the event the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, the city may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the owner, homeowners association, or to the individual property owners that make up the homeowners association, and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.
- (f) *Legal instrument for permanent protection.*
- (1) The open space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:
 - a. A permanent conservation easement in favor of either:
 - (i) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
 - (ii) A governmental entity with an interest in pursuing goals compatible with the purposes of this article.

If the entity accepting the easement is not the City of East Point, then a third right of enforcement favoring the City of East Point shall be included in the easement;

- b. A permanent restrictive covenant for conservation purposes in favor of a governmental entity; or
 - c. An equivalent legal tool that provides permanent protection, if approved by the city.
- (2) The instrument for permanent protection shall include clear restrictions on the use of the open space. These restrictions shall include all restrictions contained in this article, as well as any further restrictions the applicant chooses to place on the use of the open space.

ARTICLE C. DESIGN STANDARDS FOR STREETS

All applicable design standards as set forth in this Article and the Standard Details shall be observed in all plats as approved by the Director.

Sec. 10-4021. STREETS

All streets, public or private, shall be constructed to the construction standards of the East Point Department of Public Works.

The arrangement, character, extent, width, grade, and location of all streets shall conform to requirements as stipulated by the Department of Public Works and shall consider their relation to existing and planned streets, topographical conditions, and appropriate relation to the proposed uses of the land to be served by such streets.

Streets serving residential developments shall be arranged and designed such that their use for through traffic will be discouraged.

Where a development contains a dead-end street or stub-street other than a cul-de-sac, the subdivider shall provide a temporary cul-de-sac within the right-of-way. Where a temporary cul-de-sac is required, the subdivider shall be responsible for maintaining and for the construction of the final street connection or turn-around as required.

Where a development abuts or contains an existing or proposed street classified as a collector street or higher, the Director of Public Works may require frontage streets. Double frontage lots may be required to have screening and no access easements along lot lines fronting on arterials or collector streets. Deep lots with rear service drives, or other treatment as may be necessary for adequate protection of residential properties, may be required to afford separation of through and local traffic.

Where a development borders on or contains a railroad right-of-way, or a full or partial access control facility right-of-way, the Director of Public Works may require a street approximately parallel to and on each side of the right-of-way.

Street right-of-way widths for major streets shall be dedicated as specified by the Director of Public Works and the Right-of-Way Dedication and Reservation Plan.

Where a development abuts an existing street, the subdivider shall dedicate additional right-of-way on the existing streets to meet the requirements as set forth in the Right-of-Way Dedication and Reservation Plan.

C. Tangents - Between reverse curves, there shall be not less than the following minimum tangents:

- | | |
|---|----------|
| 1. Major Development Street designed for 35 MPH | 100 Feet |
| 2. Other Major Development Streets | 50 Feet |
| 3. Minor Development Streets | 50 Feet |

D. Intersection Visibility Requirements

Roadways and their intersections shall be designed such that proper sight distance is maintained. Minimum sight distance shall be determined by the operating speed of the road as determined by the Department of Public Works. Intersection sight distance shall be no less than the following:

280 feet for 25 m.p.h.
335 feet for 30 m.p.h.
390 feet for 35 m.p.h.
445 feet for 40 m.p.h.
500 feet for 45 m.p.h.
610 feet for 55 m.p.h.

1. Minimum horizontal visibility shall be measured on centerline.
2. When a proposed curb cut intersects an existing roadway, the minimum visibility shall be provided as follows:
 - a. When measuring in the horizontal plane, intersection sight distance is determined with the following assumptions. The driver's eye location is to be assumed at the center line of the exiting lane of the proposed curb cut behind the stop bar. The object location is to be assumed at the centerline of the closest oncoming lane for each direction.
 - b. When measuring in the vertical plane, intersection sight distance is determined with an assumed height of driver's eye and an assumed height of object of 3.5 feet.
 - c. When measuring in either plane, the line of sight must remain in the proposed dedicated right-of-way, unless sufficient easements, maintenance agreements, indemnifications agreements are provided, or additional right-of-way is dedicated.

E. Stopping Sight Distance Visibility Requirements

Roadways and their intersections shall be designed such that proper stopping sight distance is maintained. Minimum sight distance shall be determined by the design speed of the proposed road as determined by the Department of Public Works. Stopping sight distance along a roadway shall be no less than the following:

155 feet for 25 m.p.h.

200 feet for 30 m.p.h.

250 feet for 35 m.p.h.

1. Minimum vertical visibility for stopping sight distance along the roadway shall be determined by measuring between two points of which the height of the driver's eye shall be assumed at 3.5 feet to an assumed object which is 2.0 feet in height. The line of sight must remain within the proposed dedicated right-of-way, unless sufficient easements, maintenance agreements, and indemnification agreements are provided, or additional right-of-way is dedicated.

2. Minimum horizontal visibility for stopping sight distance shall be measured on centerline.

Street intersections shall be as nearly at right angles as possible, and no intersection shall be at an angle less than eighty (80) degrees. Detailed designs of intersections shall be required to include all striping and pedestrian crosswalks. Pedestrian crossing signs and signals may be required.

The Curb line radius at street intersections shall parallel the right-of-way radius.

Right-of-way Radius: The right-of-way radius at street intersections shall be at least twenty (20) feet, and where the angle of intersection is less than ninety (90) degrees, the Department of Public Works may require a greater radius.

The centerline offsets on streets internal to a residential development shall not be less than 200 feet. The centerline offsets for all other streets and curb cuts providing access to developments shall not be less than 300 feet, except greater centerline offsets may be required by the Director.

Cul-de-sac streets shall be designed so that the maximum desirable length shall be six hundred (600) feet.

Sec. 10-4023. BLOCKS

The lengths, widths, and shapes of blocks shall be determined with due regard to:

- A. Provisions of adequate building sites suitable to the special needs of the type of use contemplated;
- B. Zoning requirements as to lot sizes and dimensions unless a planned unit development is contemplated;
- C. Needs for convenient access, circulation, control and safety of street traffic; and

- C. Cul-de-sac:
R.O.W. 50-foot radius with a 10-foot radius landscape island
- Pavement 40-foot radius to back of curb
- D. Sidewalks In accordance with Section 10-4032
- E. Street Trees If required by the Director, installed on both sides at a spacing approved by City of East Point

The minimum requirements for minor development streets shall be as follows:

- A. Right of Way 44 feet
- B. Pavement Width 2 feet back of curb to back of curb
- C. Cul-de-sac:
R.O.W. 42-foot radius with a 8-foot radius landscape island
- Pavement 32-foot radius to back of Curb
- D. Sidewalks In accordance with Section 10-4032
- E. Street Trees If required by the Director, installed on both sides at a spacing approved by the City of East Point

For streets other than mentioned in Sections 10-4021, the Director shall determine the required cross section.

All residential development streets shall be designed for a maximum of 25 m.p.h. The Director may require that development streets that will not provide direct residential access be designed for up to 35 m.p.h.

Where streets are longer than 600 feet, traffic calming devices shall be incorporated to include green space, islands, residential roundabouts, and/or other traffic calming devices as approved by the Director. Where traffic calming devices such as speed bumps are used, they shall not exceed 6 inches in height. The minimum distance between individual devices shall not be less than 500 feet.

Sec.10-4026. GATED COMMUNITIES

Gates installed in developments with more than one lot shall comply with the following:

- A. Plan approval and a permit shall be obtained prior to installing of any gates. The permit fee shall be calculated in accordance with applicable building permit fees. Gates shall not prohibit public access to dedicated areas as defined within the regulations.

- B. No gate shall be installed within the City's right- of-way.
- C. The gate shall not create a dead end street without first installing a cul-de-sac conforming to the City's standards on a dead end street exceeding 250 feet in length.
- D. Gates shall provide for stacking distance, turnaround and emergency vehicle access as required by the City.
- E. Gate permits may be denied based on traffic conditions, interconnectivity needs, and when not in compliance with adopted guidelines.

Sec. 10-4027. REQUIRED IMPROVEMENTS

Every subdivider shall be required to install or have installed the appropriate public utility and improvements referred to in this ARTICLE and found in the following documents:

- DEPARTMENT OF PUBLIC WORKS - STANDARD PLANS
- EAST POINT COMPREHENSIVE STORM DRAINAGE DESIGN AND CRITERIA MANUAL
- SEWER REGULATIONS OF EAST POINT
- EAST POINT TREE PRESERVATION ORDINANCE
- UTILITY ACCOMMODATION - GUIDELINES AND PROCEDURES

Sec. 10-4028. STREETS

Sec. 10-4029. STREET GRADING

- A. All street rights-of-way shall be cleared and graded to standards of the Public Works Department.
- B. Finished grades shall be at levels approved in accordance with the Standard Plans.
- C. When development adjacent to the street is not owned by the subdivider, he/she shall obtain the necessary easements of sloping banks before submitting for a Land Disturbance Permit (LDP).

Sec. 10-4030. STREET PAVING/STRIPING

- A. Street pavement shall be installed according to standards adopted by the City Council.
- B. Striping shall be installed according to standards adopted by the City Council.
- C. On all roads adjacent to a development, the adjacent lane of the road must be widened to provide twelve (12) foot lanes. The road must be repaved throughout the development frontage and along the roadway improvements, whichever is greater. The road must

either be resurfaced from edge to edge, or it must be milled and repaved to the centerline. No more than one (1) inch vertical drop may be allowed at the pavement/gutter joint and a maximum of six (6) inches of exposed curb must be retained.

- D. No striping should be provided on development streets designed for 25 m.p.h., except for stop bars and 50 feet of double yellow centerlines, to be located at each entrance to the development.

Sec. 10-4031. CURBS AND GUTTERS

- A. Curbs and gutters shall be installed on all streets except noted herein. Installations shall be in accordance with standards adopted by the City Council.
- B. Curbs and gutters shall be of a straight or standard construction on one or both sides where sidewalks are required.
- C. Curbs and gutters may be waived by the Director if the sidewalk along the same portion of the roadway is set back a minimum of 12 feet from the edge of pavement and drainage is adequately addressed. Setbacks greater than 12 feet may be required by the Director.

Sec. 10-4032. SIDEWALKS

A. Introduction

- 1. Purpose: The objective of this subsection is to provide facilities that ensure safe pedestrian movement in the City of East Point.
- 2. Intent: Sidewalks are intended to provide a safe pedestrian connection between the subdivision/development and nearby destinations. Pedestrians consist of children walking to and from school and neighborhood activities, as well as adults walking to and from neighborhood shopping and transit stops. In addition to the need for sidewalks for circulation and safety, sidewalks can be important elements in the recreational system of this community. They can also serve as walking and hiking trails.

B. Performance approach.

- 1. Performance factors: The performance approach shall be applied in determining the need for sidewalks. In this case, the decision to require a development to provide sidewalks shall be made on a case-by-case basis.
- 2. Several basic factors shall be used in applying the performance approach: These are street classification and current/potential future volume of pedestrian traffic; residential land use/development density; relation to residential areas; proximity of schools,

school bus stops, shopping areas; and proximity of parks, libraries, bike paths/pedestrian trails, greenspace corridors, and other land uses.

- a. Street classification and volume of pedestrian traffic: As traffic volume and road speeds increase, there is more need for separate pedestrian ways to ascertain safety. Sidewalks shall be provided along local streets, collectors, arterials, and private roads.
- b. Residential land use and development density:
 - (i) Sidewalks shall be provided along both sides of all local streets and street frontages where the residential land use designation in the comprehensive plan is eight units/acre or higher density.
 - (ii) Sidewalks shall be provided along at least one side of all local streets when the residential land use designation in the comprehensive plan is less than eight units/acre.
- c. Relation to residential areas: In general, sidewalks are intended to be within the street right-of-way. This traditional location of sidewalks may be replaced in mixed-use developments by a flexible pedestrian circulation system. Such a system would connect individual dwelling units with other units, off-street parking, open space system, and recreational facilities. Also, this system may be permitted to meander through the development within prescribed sidewalk easements. If the sidewalk leaves the right-of-way, an easement and indemnification agreement must be provided for public access and maintenance.
- d. Proximity of schools and shopping areas:
 - (i) Sidewalks shall be required in subdivisions located within one mile from an existing or proposed school on both sides of any street that provides access to such school. Subdivisions at each side of the street shall provide sidewalks at the corresponding frontage.
 - (ii) Sidewalks shall be provided within a distance of up to one mile along both sides of streets leading to or going through shopping areas.
- e. Proximity of parks, libraries, bike paths/pedestrian trails, greenspace corridors, and other land uses: Sidewalks are needed in areas where the following nonresidential land use designations exist:
 - (i) Sidewalks shall be required along both sides of all streets and street frontages in commercial, living-working, and business park land use designation areas.
 - (ii) Sidewalks may be required in industrial subdivisions.

(iii) Sidewalks may be required within a distance of up to one (1) mile along both sides of streets leading to or going through places of public assembly/transit facilities/other congested areas and other similar places deemed proper by the Director of Public Works for public necessity and safety.

f. Relation to established pattern of sidewalks: Future location of sidewalks should follow the already established pattern of existing sidewalks (on one side of the street, on both sides, width, etc.).

C. General specifications.

1. Sidewalks shall be provided by the subdivider at no cost to the city.
2. Sidewalks shall have a minimum width of five (5) feet indicated by a note on the conceptual plan.
3. For non-residential developments, sidewalks shall be a minimum of six (6) feet wide.
4. Sidewalks must be provided on or adjacent to an individual lot prior to the issuance of certificate of occupancy.
5. Prior to the recording of the final plat, one hundred twenty-five (125) percent of the cost of the internal sidewalks for any residential subdivision must be performance bonded. This bond will be released when all sidewalks internal to the development have been constructed and approved. All required sidewalks must be provided internal to any residential subdivision within two years of the recording of the final plat, otherwise, the bond is forfeited and the city will use the funds to complete the sidewalk construction.

D. Review guidelines

The Director of Public Works may issue guidelines to facilitate the application of the performance-based approach including, but is not limited to, a point system. The intent is to ascertain fairness and consistency in the application of this section.

E. Exception

When the developer requests to install (within a development) sidewalks that are not required by the subdivision regulations and at no cost to the city, the Director of Public Works may approve a reduction in width to a minimum width of four (4) feet.

F. Sidewalk Bank

1. There is hereby established an East Point Sidewalk Bank for the maintenance and disbursement of funds required to be paid pursuant to the terms of this ordinance.
2. Where it is determined by the Director of Public Works that construction of sidewalks adjacent to the applicant's property is implausible contribution in lieu of sidewalk

construction shall be made to the East Point Sidewalk Bank. The fee shall be set annually by the Director of Public Works and shall be assessed per linear foot of sidewalk constructed.

3. Funds maintained in the East Point Sidewalk Bank shall be administered by the Finance Department pursuant to rules and regulations regarding said funds.

Sec. 10-4033. STREET TREES

A. Street trees and other shrubbery that may be retained or planted shall not obstruct sight distances and shall be subject to the approval of the Director.

B. Street trees that may be required by the Director along the street(s) shall be of species approved as street trees in the Tree Protection and Landscaping Ordinance.

ARTICLE D. WATER, WASTEWATER AND STORMWATER

Sec. 10-4034. WATER SUPPLY

Where a public water supply is within 300 feet, the subdivider shall install or have installed a system of water mains and connect to such supply. The installation of mains and connections to each lot shall be installed prior to the paving of the street, if possible. The installation shall include services and meter boxes if it is connected to the City of East Point Water System.

Where a public water supply is not available, each lot in a development shall be furnished with a water supply system approved by the Fulton County Health Department.

A separate water service connection shall be provided for each residential unit. Meters shall be located as specified by the utility company.

Fire hydrants shall be located and set in accordance with City of East Point Public Utilities Specifications and the East Point Standard Plans where applicable. In addition, the fire hydrant shall be serviced by the following:

- A. Not less than an 8-inch diameter main if the system is looped.
- B. Not less than an 8-inch diameter main if the system is not looped or the fire hydrant is installed on a dead end main exceeding 300 feet in length.
- C. In no case shall dead end main(s) exceed 600 feet in length for main sizes less than 10 inch.

When required by the Public Works Department, a reuse water irrigation distribution system to each lot shall be installed. This system shall consist of an 8-inch diameter ductile iron pipe identified as "non-potable water," painted purple in accordance with standard pipe identification schedules, and installed on the south or east shoulder of the right of way limit. All pipes and appurtenances must be in accordance with the East Point Water Reuse Standards. Each

development owner requesting an irrigation meter shall connect to the reuse water main, if activated.

If a development is re-platted and the originally platted lots configuration is changed after the water service lines have been installed, the water system shall be modified to properly serve each lot in accordance with East Point water specifications.

Sec. 10-4035. SANITARY SEWER MANAGEMENT

When public sanitary sewers are within 300 feet of the development, the subdivider shall provide sanitary sewer services to each lot within the bounds of the development. All street sewers serving lots in the development shall be installed by the subdivider. A formula may be developed by the Department of Public Works to provide for a sharing of the costs of sewer facilities needed to serve the development and other developments in the same drainage basin.

When the operation of a temporary sanitary sewer system requires land to be set aside for a disposal plant, the development owner shall give the City title to the development for as long as the plant is in operation. The title may carry a reversionary clause returning the development to the owner when the site is no longer necessary for the operation of the plant.

In a drainage basin, which at time of plat application is scheduled for a public sewerage system, all developments shall be provided with a temporary community sewerage disposal system as approved by the Department of Public Works. The system shall include permanent sewerage outfall lines plus a temporary treatment plant to be installed by the subdivider.

Whenever the installation of a sanitary sewer is required, as provided by these rules and regulations, no new street shall be paved without the sewer being first installed in accordance with the requirements of the sewer specifications of the Department of Public Works and the East Point Sewer Regulations.

If a development is re-platted and the originally platted lots configuration is changed after the sewer service lines have been installed, the sewer system shall be modified to properly serve each lot in accordance with East Point sewer specifications.

Sec. 10-4036. STORM WATER PROVISIONS

See Chapter 11. Storm Water Management

Sec.10-4037. DETENTION/RETENTION DESIGN

A. General Provisions

1. Installation of properly functioning detention facilities, including outflow control devices, shall be the responsibility of the owner. If any control devices are damaged or destroyed during grading or construction, all processes shall cease until such devices are restored to their functioning capability. The owner, through application for grading

or construction permits, accepts the responsibility of maintenance of the control devices.

2. When serving more than three lots, detention ponds, retention ponds, and water quality features (including all required access easements, landscape strips, and fences) shall be located on a separate parcel where no home can be constructed. This parcel shall be owned and maintained by the homeowners' association or the owners of the lots being served by this pond. The parcel shall have a minimum of 20' wide continuous access to a public or private road in a manner that allows access and maintenance of this parcel. In addition, this parcel will not be required to meet the normal lot standard.

B. Layout Design Standards: The ponds layout shall provide for the following minimums:

1. 20-foot graded access easement;
2. 20-foot landscape strip for screening purposes;
3. 10-foot access easement for maintenance; and
4. Fences of decorative wrought iron, aluminum or green vinyl clad chain link with a planted landscape strip around the fencing. Fence height shall not exceed 6 feet in height. (Ord. No. 024-11, 09-19-2011)

C. Alternative Design Standards: Applicants are encouraged to carry out innovative detention/retention layout that is intended to make such facilities an attractive amenity or focal point to the development.

To achieve that, the Director may approve the following alternative design standards in lieu of those in sections 10-4037.A. and 10-4037.B.

1. Such alternative design should provide for attractive layout and means for detaining/retaining/moving water.
2. The design should follow the natural land forms around the perimeter of the basin. The basin should be shaped to emulate a naturally formed depression.
3. Redistributing soils from basin construction to create natural landforms around the perimeter of the basin is encouraged. These forms should be located strategically to filter views or redirect and soften the views from residential areas.
4. Side slopes of basins must not exceed one-foot vertical for every four-foot horizontal. Where possible, side slopes should be varied to imitate natural conditions. Associated natural landforms should have side slopes no greater than one-foot vertical for every three-foot horizontal to accommodate lawn maintenance equipment. Varied slopes will be encouraged.

5. The applicant should consider the use of plant materials that naturally grow in the area. Trees and shrubs should be grouped in informal patterns to emulate the natural environment. The intent is to soften the views of these basins.

D. Design Guidelines: The Director may issue design guidelines illustrating details of the standards in Section 10.4009.C.

Sec. 10-4038. STORM DRAIN SYSTEM STENCILING/IDENTIFICATION

All residential development and commercial entity storm drainage structures or facilities (catch basins, storm sewer inlets, culverts, impoundment facilities, man holes, and other facilities that convey storm water run-offs) shall be properly identified. Each drainage structure shall be identified with the use of durable and reusable Mylar stencils (stencils will not be provided by the City) that measure 20" x 30" with 2" lettering and an environmentally formulated, water base, but soluble striping paint (Color: blue). The message on the stencil shall read:

"DUMP NO WASTE"
(Picture of a trout)
"DRAINS TO STREAM"

Sec. 10-4039. SANITARY AND STORM SEWER EASEMENT

- A. All permanent easements shall be twenty (20) feet in width. When access for maintenance purposes is required, the maximum longitudinal slope along the easement shall be 30% at grade in steepest direction.
- B. No fill shall be placed on a sanitary or storm sewer easement without approval by the Director of Public Works. All sanitary manholes must extend to the ground surface. All easements terminating on a parcel shall extend to the development line.
- C. No retaining wall, building, pole, sign or other vertical structure shall be constructed in sanitary and storm sewer easements, including vehicular access easements around structures, without approval from the Director of Public Works. No fence shall be placed across sanitary or storm sewer easements without gates to which the Department of Public Works has full access. No planting shall take place in a sanitary or storm sewer easement that will impede vehicular access along the easement or endanger the pipeline. No surface water shall be impounded on a sanitary sewer easement. No other pipeline or utility shall be placed in a sanitary or storm sewer easement without approval by the Director of Public Works.
- D. Each lot or parcel of land in a development shall have a separate sewer connection terminating at the easement limit or right-of-way limit with a vertical clean-out pipe. No connection of the public sewer system shall be made except at a sewer connection approved by the Director of Public Works.
- E. No surface water, ground water, storm drain, gutter, downspout, or other conveyance of surface water or ground water shall be discharged into the sanitary sewer.

Sec. 10-4040. PLANS AND CONSTRUCTION

No sanitary sewer or water line shall be accepted by the City without an as-built drawing showing the horizontal and vertical alignment of the sewer system, the locations of all manholes, sewer connections, piping materials, required easement limits and junctions, and development lines. This should be provided in the form of plans, profiles, and plats; when possible, an electronic copy of the required data (compatible with the East Point Geographical Information System) should be submitted.

No storm sewer shall be accepted by the City without an as-built drawing showing the horizontal and vertical alignment of the sewer system; the locations of all manholes, junctions, detention ponds, retention ponds, and sewer system outfalls discharging into ditches or creeks; sewer connections, piping materials, required easement limits; and development lines. This information shall be provided in the form of plans, profiles, details, sections and plats and when possible in an electronic form compatible with the East Point Geographical Information System and the applicable Department of Public Works data base.

In the case of single family residential developments, by written application, the owner may request that East Point assume partial maintenance responsibility of drainage facilities, effective after the expiration of the initial 45 month maintenance period. Within sixty (60) days after receipt of such application, the Director shall respond in writing to the owner/applicant. Such response shall set forth additional terms and conditions for acceptance. However, maintenance by East Point shall be limited to ensuring the functional adequacy of such drainage structures. Maintenance responsibility shall remain partially with the homeowners' association unless and until, and only to the extent that, the homeowners' association is expressly relieved of such responsibility pursuant to and in accordance with a written instrument signed by the Director. Appropriate easements shall be executed and recorded pursuant to this paragraph. For all other types of development, responsibility for maintenance of storm sewer system and detention ponds, including but not limited to, periodic silt removal to maintain functional integrity, will remain the responsibility of the Owner. Maintenance responsibility shall constitute an obligation running with the land and shall be binding upon the owner's executors, administrators, heirs, successors, and successors-in-title. The owner/developer shall provide stabilization, including vegetation, and installation of security fences for safety purposes at detention facilities, as prescribed, prior to approval of the Final Plat by the Director.

Any single-family detached home which involves less than 10,000 square feet of cleared area or all impervious surface areas combined and is in excess of 2,000 feet from the Chattahoochee River, shall be exempted from the provisions of a hydrology study. In no such case, however, shall grading involve over 25 percent of the total land area. Sites within 2,000 feet of the Chattahoochee River shall be developed in accordance with the Atlanta Regional Commission's vulnerability analysis, as determined by the Director.

All engineering and construction, regardless of whether such engineering or construction is being accomplished on public land or on public easements, shall meet the minimum requirements of these regulations.

ARTICLE E. MONUMENTS AND IRON PIPES

Permanent monuments shall be accurately set and established to tie with the City GIS monuments or as required by the Director.

The monuments shall consist of two 2-inch iron pipes, sixteen (16) inches in length, or T bars, twenty-four (24) inches in length, or other approved materials. The monuments shall be set so that the top of pipe shall be six (6) inches above the ground level, unless otherwise approved by the Department of Public Works.

The accurate location, material, and size of all existing monuments shall be shown, on the final plat, as well as the future location of monuments to be placed after street improvements have been completed.

Iron pipes at least one-half (1/2) inch by sixteen (16) inches shall be used and shall be set two (2) inches above the finished grade.

ARTICLE F. UNDERGROUND UTILITIES

All existing and proposed utilities, including all electrical, telephone, television and other communication lines, both main and service connections, serving or having capacity of 69 KV or less, abutting or located within a requested land disturbance area shall be installed underground in a manner approved by the applicable utility provider and in compliance with East Point's right-of-way and erosion control regulations, if applicable.

Lots that abut existing easements or public rights-of-way where overhead electrical or telephone distribution supply lines and service connection have previously been installed may be supplied with electric and telephone service from those overhead lines, but the service connections from the utilities' overhead lines shall be installed underground. Should a road widening or an extension of service, or other such conditions occur as a result of the development and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground.

Contractors or developers of developments shall:

- A. Submit drawings of the development layout showing locations of underground electrical cable, transformers, and other related fixtures, in accordance with the standard plans. These drawings must be approved by the City before installation of the underground utility and before a building permit can be issued.
- B. Pay all cost for poles, fixtures, or any related items of materials necessary for the installation to the utility company.
- C. Submit proof of payment for complete installation.
- D. Have an agreement with the appropriate power company for complete maintenance of all installations and provide proof of payment.

ARTICLE G. STREET LIGHTS AND PEDESTRIAN LIGHTING

A. Street lights and pedestrian lights shall be provided by the developers of all new developments.

B. At the time of and as a requirement of submission of a Final Plat, the developer shall:

1. Submit a drawing(s) of the development's layout showing locations of street lights and required pedestrian lights. This drawing must be approved by the Director prior to obtaining any building permit within the development. The layout shall be shown on the Land Disturbance Permit. Fixtures and standards/poles installed or used shall be approved by the City and by the utility company which shall be responsible for the maintenance of the facilities.

Street light fixtures shall be mounted thirty (30) feet above the ground and shall have appropriate arm length to place the light over the street. No arm shall be less than five (5) feet long. Post top luminaries may be permitted when approved by East Point providing same are in compliance with the requirements of the East Point Zoning Ordinance. Fixtures shall be located no more than three hundred (300) feet apart and at least one light shall be located at each street intersection within the development. When a development is located in a zoning overlay district, light standards shall comply with requirements of the overlay district.

Pedestrian lights shall be installed as required by the overlay district or the specific zoning case.

2. Pay all costs for standards/poles, fixtures and any other related items or material necessary for installation.
3. Submit proof of payment for complete installation to the Director.
4. Submit a copy of an executed agreement with the utility company for complete maintenance of all installations.

C. When street lighting is requested by existing residents, these residents shall:

1. Submit a petition to the East Point Department of Public Works from the residents affected showing a 90% support for the request. The affected residents shall be all residents whose properties are located, in whole or in part, within one hundred and fifty 150 feet of a proposed street light.
2. The request to the City for street lights shall include a sketch indicating the individual location of lights within the development, along with the residential location of each signatory to the petition.
3. If standards/poles within the development for the placement of these lights do not exist, or do not meet utility company requirements, it shall be the petitioner's responsibility

to have these standards/poles placed prior to installation of the street lights, at their cost. Installation of poles within the City's right-of-way shall be subject to the approval of the Public Works Director. The street light fixtures are to be installed at the expense of the petitioners.

D. When each of the applicable items in Section C above has been completed, East Point shall:

1. Assume maintenance responsibility and make the monthly payments to the utility company for electrical energy for each street light when at least fifty percent (50%) of the dwelling units in the development have been occupied.
2. Pay only the current monthly negotiated amount for electrical energy for each street light.

ARTICLE H. ADMINISTRATION AND ENFORCEMENT

Sec. 10-4041. FEES

Every application for a Minor Plat, Conceptual Plat, Final Plat, or other plat submitted pursuant to these regulations shall be submitted to the Director along with such fees as may be established by the City Council. Failure to pay such fees as required shall cause the plat to be returned to the applicant without acceptance for review or consideration by East Point.

Following the approval of a Conceptual Plan and prior to authorization to begin construction, the developer shall pay the required Inspection, water and sewer connections, curb cut, and street sign fees as may be established by the City Council.

Prior to approval of a Final Plat and as a prerequisite for acceptance of any such Final Plat, the developer shall provide such performance bonds, maintenance bonds, and/or cash assurances as required by these regulations and established by the City Council.

Sec. 10-4042. ENFORCEMENT

These Subdivision Regulations shall be administered and enforced by the Director.

Should the Director deny any such plat (minor or final), a written explanation shall be provided stating the basis for the denial. Within 30 days of the date of said written explanation, the owner of record and/or subdivider may file with the Department of Planning and Zoning a letter appealing the decision, which, together with a report from the Director, shall be forwarded to the Planning and Zoning Commission for consideration pursuant to Article I. APPEALS of the East Point Zoning Ordinance.

Should an applicant disagree with the review comments of the Director concluding factual or interpretive errors have been made, the following appeal procedure is intended to resolve the issues.

- A. Submit to the Director within 30 days of the comments at issue, a letter clearly defining the nature of the disagreement, the specific reference to the Article of these regulations at issue, and the applicant's opinion.
- B. The Director shall submit the request to the Technical Staff Review Committee. The Technical Staff Review Committee shall be selected by the Director and formed from appropriate departments' staff relative to the subject appeal.
- C. The Technical Staff Review Committee shall provide comments and a written recommendation to the Director within ten (10) working days.
- D. Should the Director, after review of the applicant's statement and the recommendation of the Technical Staff Review Committee, conclude that these regulations would not be violated, the Director shall modify his/her comments accordingly.
- E. Should the Director conclude that these regulations would be violated, the Director shall provide the applicant with a written letter of denial and advise the applicant of the appeal process to the Planning and Zoning Commission.
- F. The Planning and Zoning Commission shall, after receiving a report from the Director, decide the issue. The decision shall constitute the final administrative appeal.

Should the Director not approve a request to vary any Article of these regulations within 30 days, the applicant may appeal in writing, stating the Article to be varied and the reason the variance should be granted.

The applicant shall file a variance application to these regulations with the Planning and Zoning Commission, which shall have the authority, after hearing from the applicant and the Director, grant, modify and/or deny the variance. The Planning and Zoning Commission shall base its decision on hardships as described in the East Point Zoning Ordinance.

Sec. 10-4043. VIOLATION AND PENALTY

Any person, firm or corporation violating any provision of this Ordinance, shall be deemed liable for civil penalties not less than \$1,000.00 and not to exceed \$2,500.00 and/or imprisonment for 60 days, or as amended by applicable statutes. Each day's continuance of a violation shall be considered a separate offense. The owner of any lands or parts thereof, where anything in violation of this ordinance shall be placed, or shall exist, and any person who may assist in the separate offense, the Municipal Court of East Point, or any court of competent jurisdiction, shall have jurisdiction of any offense charged under this paragraph.

In any case in which any land is, or is proposed to be, used in violation of these regulations or any amendment thereto adopted by the City Council, may, in addition to other remedies provided by law, institute injunction, abatement or any appropriate action or actions, or proceeding to prevent, enjoin or abate such unlawful use.

Sec. 10-4044. CONFLICT

Where conflicts exist between these regulations and other City regulations and policies, either the most restrictive or the City's written interpretation shall prevail.

Sec. 10-4045. ADOPTION

These regulations shall be in full force and effective 30 days following adoption by the City Council of East Point.

Sec. 10-4046. SEVERABILITY

If any Article, sub-article, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional or void, the validity of the remaining portions of these regulations shall not be affected, it being the intent of the City Council in adopting these regulations that no portion hereof shall become inoperative or fail by reason of the unconstitutionality or invalidity of any Article, subsection, sentence, clause, phrase or provision of these regulations.

ARTICLE I. DRIVEWAY REGULATIONS

Sec. 10-4047. PURPOSE

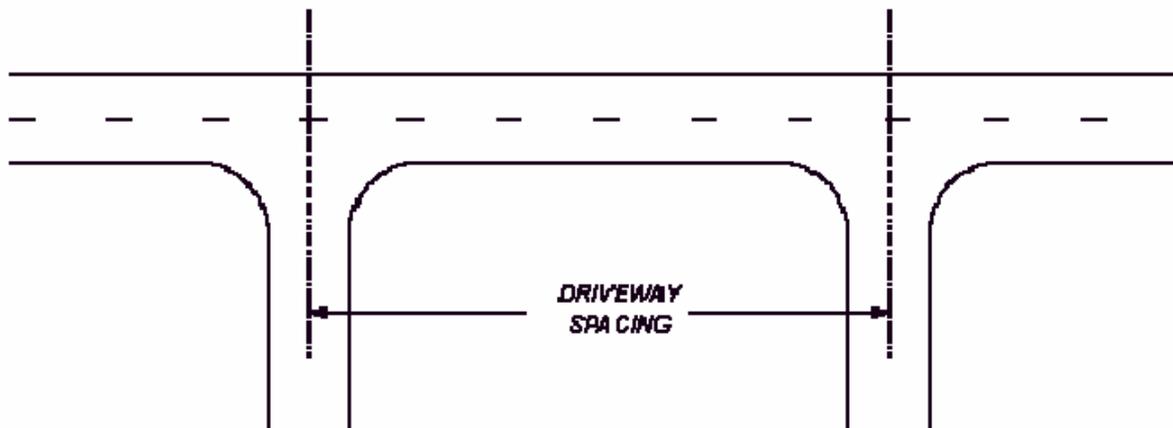
This document is intended to clearly define the process of constructing a legal access point or any other work in the right of way of City Roads in East Point. To accomplish this we are modifying sections three through five of the Georgia Department of Transportation document "Regulations for Driveway and Encroachment Control" and adopting this modified version. Any variance to the standards set forth in this manual must be in the form of a written appeal to the Director of Public Works, along with the appropriate studies to support the variance request.

Sec.10-4048. DRIVEWAY SPACING

As drivers approach each intersection along a roadway, they are often presented with decisions and may be required to stop or make various maneuvers. When exiting the roadway, it is necessary to decelerate and in some cases, to change lanes. It may also be necessary to adjust speeds in reaction to other vehicles entering into the arterial traffic stream. Driveways should be spaced so that drivers can perceive and react to the conditions at each intersection in succession. Spacing between driveways should be at least equal to the distance traveled, at the posted speed limit, during the normal perception and reaction time plus the distance traveled as the vehicle decelerates to a stop. Each intersection also requires a certain amount of storage space for vehicles waiting to enter. The distance between intersections should be great enough to provide this storage, allowing each intersection to have its functional boundary separated from those of the next intersection. Crash data also indicates that as the number of driveways along a roadway increases so do accident rates. **Meeting the spacing criteria is not, in itself an indication that driveways will be allowed.**

Guidelines for driveway spacing, associated with the construction of new driveways, are provided in Table 3-1. Driveways should be separated from any other facility, which accesses a City roadway, whether it is another driveway or a public street. Minimum spacing requirements also apply to driveways on the opposite side of undivided roadways.

Requirements for the length of right and left turn lanes, as shown in Table 11 and Table 13, may increase the minimum allowable spacing shown in Table 1.



POSTED SPEED, MPH	DRIVEWAY SPACING MINIMUM FT
25	200
30	250
35	300
40	300
45	300
50	300
55	350

Table 1: Driveway Spacing Criteria

Sec. 10-4049. SPACING OF ONE-WAY DRIVEWAYS

Figure 1 shows a typical layout of one-way driveways. The spacing criteria presented in Table 1 does not apply to the distance between the two one-way driveways (driveway pair).

A driveway pair must be separated from another driveway pair by the distance as shown in Table 1. A driveway pair must also be separated from an adjacent two-way driveway in accordance with the spacing criteria in Table 1.

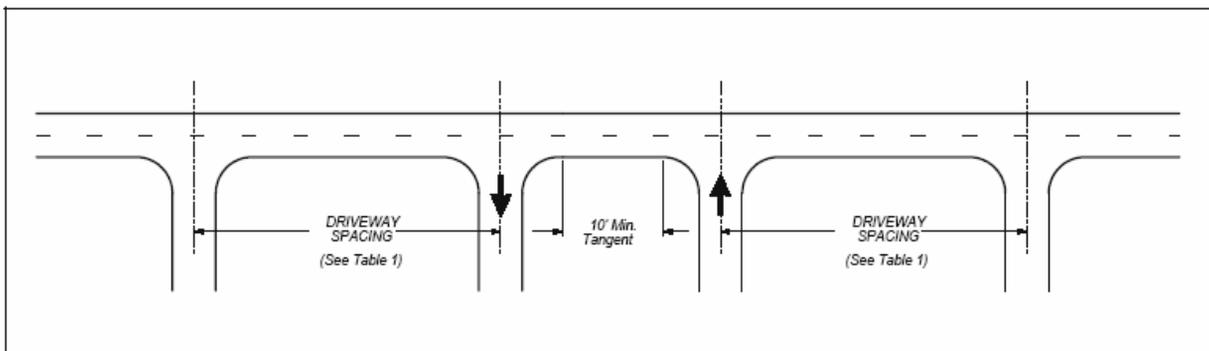


Figure 1: Spacing Criteria for One-Way Driveways

Sec. 10-4050. PLACEMENT OF DRIVEWAYS

Not only must driveways be spaced from other driveways as provided above, they must also be located a minimum distance from the property line. The radius return must be a minimum of 5' from the property line.

When driveways are to be jointly used by two or more property owners, the property line separation requirements given in the above paragraph can be waived. However, a joint use agreement signed by the affected property owners must be provided to the Access Management Engineer. Either property owner may apply for the driveway permit.

Sec. 10-4051. DRIVEWAY SPACING

Driveways should align with other driveways located on the opposite side of the roadway. If offset driveways cannot be avoided, the same driveway spacing criteria as given in Table 1 should be provided, to provide space for left turns. Figure 2 shows how the spacing is measured for locating offset driveways on undivided roadways. Spacing is from Center to Center.

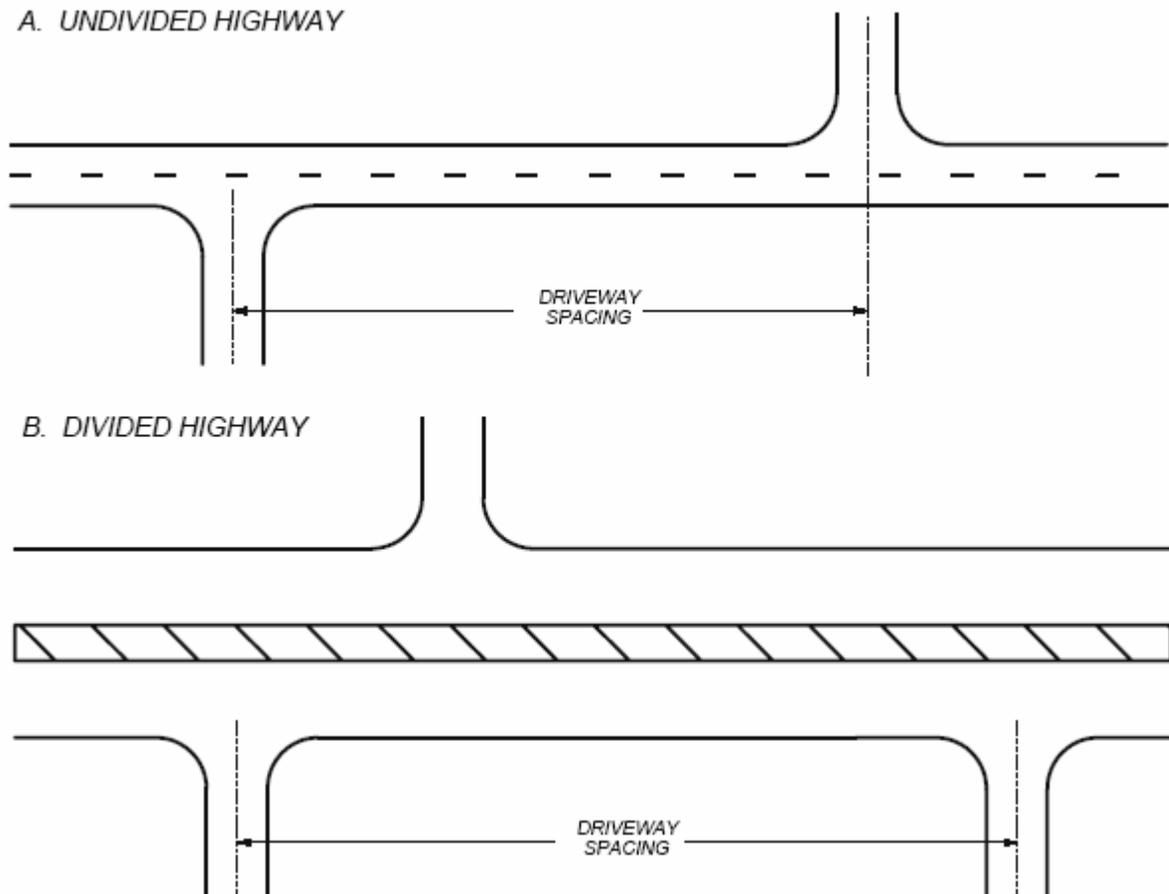


Figure 2: Spacing of Offset Driveways

If the City roadway involved is a divided facility and the driveways do not align with a median crossover, the driveway spacing would only apply to the adjacent driveway located on the same side of the roadway as shown above in Figure 2.

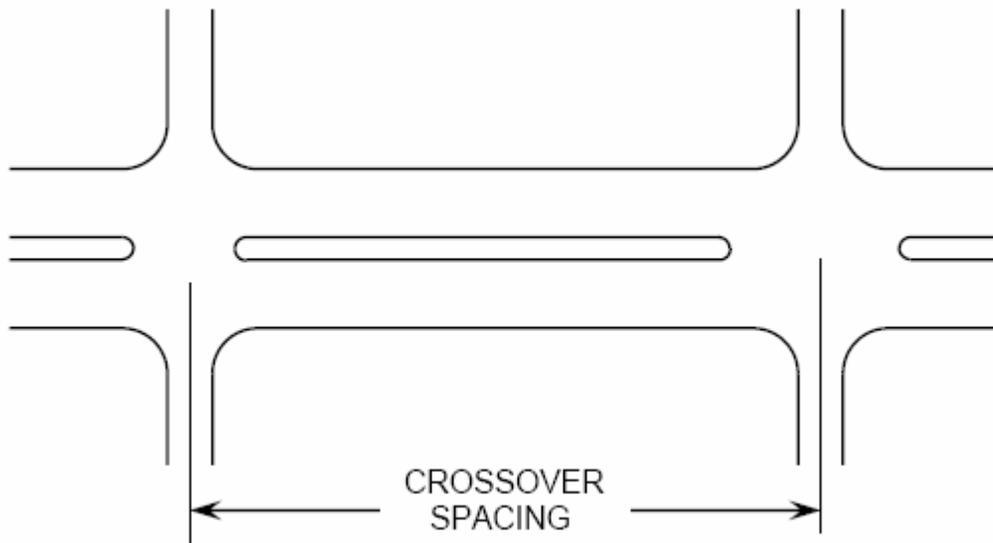
Sec. 10-4052. RESIDENTIAL DRIVEWAYS

Driveways serving single family residential homes or townhouses do not have to adhere to the standards set forth in the previous sections, as they have a less significant impact than a new street or commercial driveway. Not more than two private curb cuts may be located on any one street frontage for any one dwelling. When there are two curb cuts on any one street frontage, there shall be a safety zone between the cuts not less than ten feet, as measured along the curblines. In no case shall the curb cut be less than five feet from the side property line as measured along the right-of-way line. The curb cut shall not encroach upon the radius of the curb at a street corner.

Not more than one private curb cut may be located on any one street frontage for any one dwelling where the street is classified as a Collector or higher order street. If a lot has access to more than one frontage, it may not have any private curb cuts on a street that is classified as a Collector or higher order street. If both frontages are classified as Collector or higher order streets, then the curb cut may be on the frontage with the lowest classification, or as designated by the Public Works Department.

Sec. 10-4053. SPACING OF MEDIAN CROSSOVERS

When the applicant is requesting a median crossover on a divided roadway, the spacing standards shown in Table 2 apply.



CONDITION	CROSSOVER SPACING IN FEET	
	Desirable	Minimum
RURAL	2640	1320
URBAN	1320	660

Table 2: Spacing of Median Crossovers

Other factors will also be considered, such as distance to other median openings, adjacent land use, expected traffic volumes, and the resulting volume of U-turns that are likely to occur without the median opening. **Meeting the spacing criteria is not, in itself, an indication that median openings will be allowed.**

Sec. 10-4054. SPACING OF SIGNALIZED INTERSECTIONS

This section is provided to assist the applicant's engineer in designing sites that may need signalized points of access to the City roadway. Table 3 contains guidelines for the spacing that should be provided between signalized intersections.



CONDITION	SIGNAL SPACING IN FEET	
	Desirable	Minimum
RURAL	2640	1320
URBAN	1320	1000

Table 3: Spacing of Signalized Intersections

The spacing guidelines provided above are indicative of conditions that normally offer better signal progression for arterial traffic flow. It is recognized that under certain conditions, better operation may result from the introduction of signals with less spacing if the alternative forces high volumes of traffic to an adjacent intersection.

When the applicant can show, through an alternatives analysis, that better operations can be achieved with less spacing, the Department of Public Works will consider an exception to the provisions of Table 3.

Sec. 10-4055. DESIGN CRITERIA

The design of driveways shall comply with the guidelines of AASHTO's A Policy on Geometric Design of Highways and Bridges, current edition. This manual provides a summary of the minimum design constraints that will be checked during the plan review process.

The geometric design of an intersection is a collection of various elements such as radius, width, grade, angle of intersection, etc. that, in combination, provide for satisfactory operation of the vehicles that will use the intersection. Since the operating characteristics vary dramatically for different types of vehicles, the designer must first establish the design vehicle on which to base the driveway design. The designer should also check the final design to ensure the design vehicles can operate satisfactorily.

Sec. 10-4056. DESIGN FOR TRUCKS

The design criteria given in this chapter has more stringent requirements for trucks. Even though the general use of such guidance would result in more desirable operations for all vehicles, it is

neither practical nor necessary to design all facilities to accommodate trucks. The designer must use judgment in selecting the proper design vehicle.

When semi trailer combination trucks are expected to use the intersection on a regular basis and in numbers more than just an occasional vehicle, then the intersection should be designed to accommodate the truck movements. This includes most driveways designed for industrial use and many commercial driveways.

For commercial uses such as shopping centers, the preliminary site plan should indicate where heavy duty pavement would be provided to accommodate truck access to loading docks. Any driveway associated with access/egress for the loading docks should use the truck radii. Minor movement driveways, particularly those that allow only right turns will generally only be used by passenger cars.

Sec. 10-4057. DRIVEWAY WIDTH

When traffic impact studies are required, the driveway shall be designed to provide the number of lanes recommended in the study. The findings within the study supersede the standards set forth in Table 4. Standard lane widths are 12'.

When the need for multiple lanes is not established from a traffic impact study, the minimum and maximum driveway widths are as set forth in Table 4.

DRIVEWAY USE	WIDTH IN FT.	
	MINIMUM	MAXIMUM
Current Residential GA Std.	14	18
Current Commercial (One Way) GA Std	16	20
Current Commercial (Two Way) GA Std	24	20

Table 4: Driveway Widths

Sec. 10-4058. CORNER RADII

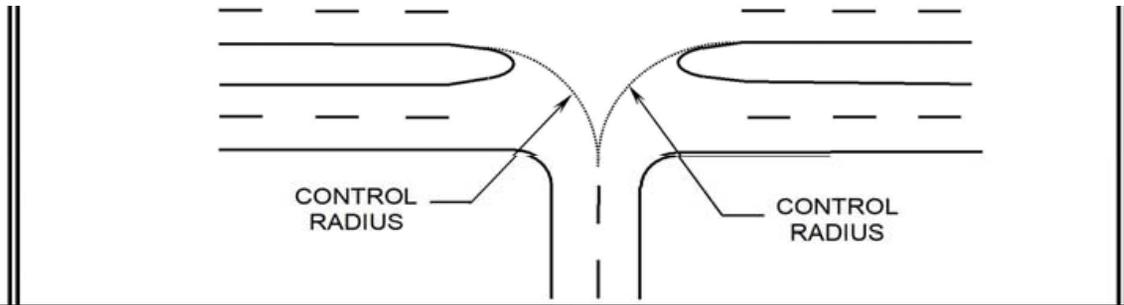
Comer radii are generally established by the minimum path of the inside wheels of the design vehicle when making a right turn. The minimum comer radii to be used for driveways are given in Table 5.

DRIVEWAY USE	MINIMUM RADIUS IN FEET
Residential	30
Commercial	35
When Designed For Trucks	75

Table 5: Minimum Comer Radii

Sec. 10-4059. LEFT TURNING CONTROL RADII

The path of the inside wheels during left turns is also important for the design of median openings and intersections with dual left turn lanes. Table 6 contains guidelines for minimum left turning radii.



Driveway Use	Control Radius in Feet
Residential	40
Commercial	50

Table 6: Left Turning Control Radius

Sec. 10-4060. MEDIAN CROSSOVER DESIGN

Driveways onto divided City roadways where full access is to be provided shall be designed in accordance with Georgia DOT Construction Details for Median Crossovers. The detail has two types of designs (See Figure 3) that are applicable in different situations in East Point. Type A median crossovers will not be permitted.

Sec.10-4061. TYPE B MEDIAN CROSSOVER

Type B median crossovers are required when the projected volume of the left turn movement exceeds 50 vehicles per hour per direction and/or when the median width is sufficient to offset the left turn lane from the adjacent through lane. This design provides better sight distance for vehicles in the left turn lane. This is important for unsignalized intersections and when unprotected turns are allowed at signalized intersections.

Sec. 10-4062. TYPE C MEDIAN CROSSOVER

Type C median crossovers are typically used in urban areas where the median width is limited to approximately 24' or less. With this type of crossover, it may be necessary to add pavement to the opposite edge in order to accommodate u-turns.

Table 7 illustrates the minimum pavement width that is required for vehicles to make u-turns. The required width is given for passenger cars and for WB-50 trucks. However, provisions for u-turns at median openings are normally based on passenger cars.

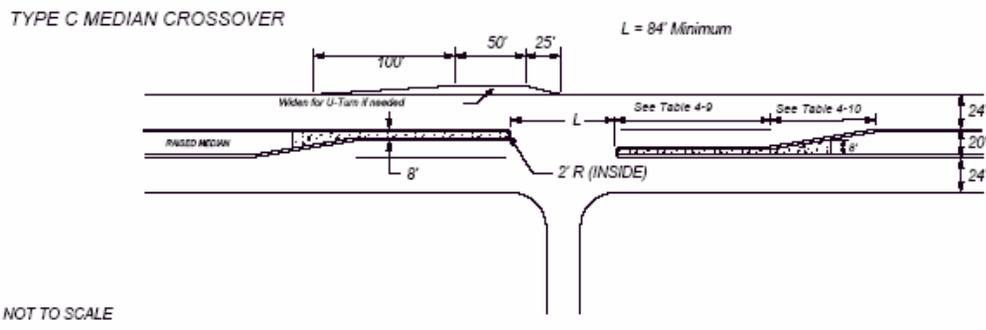
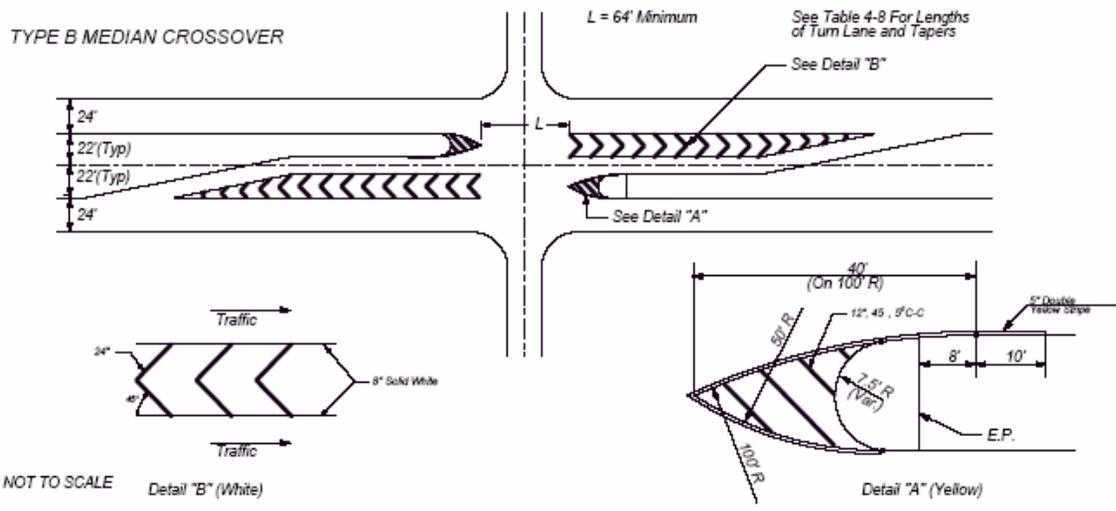
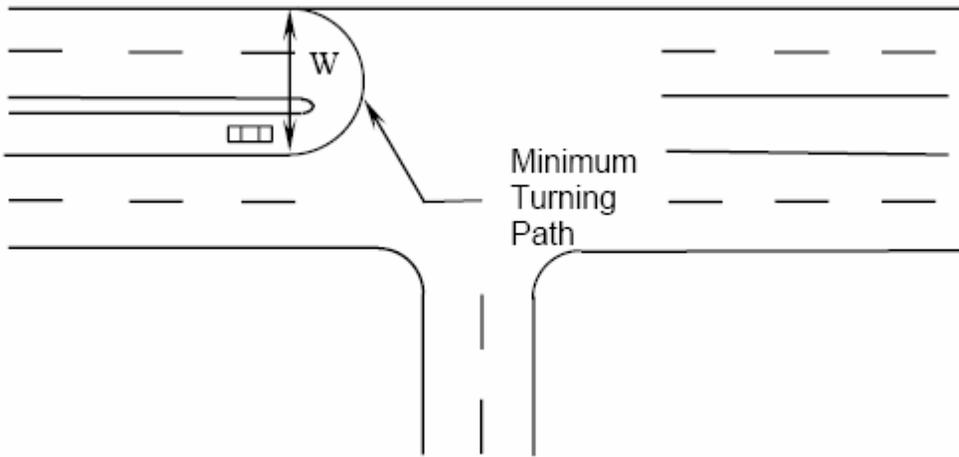


Figure 3: Median Crossover Design



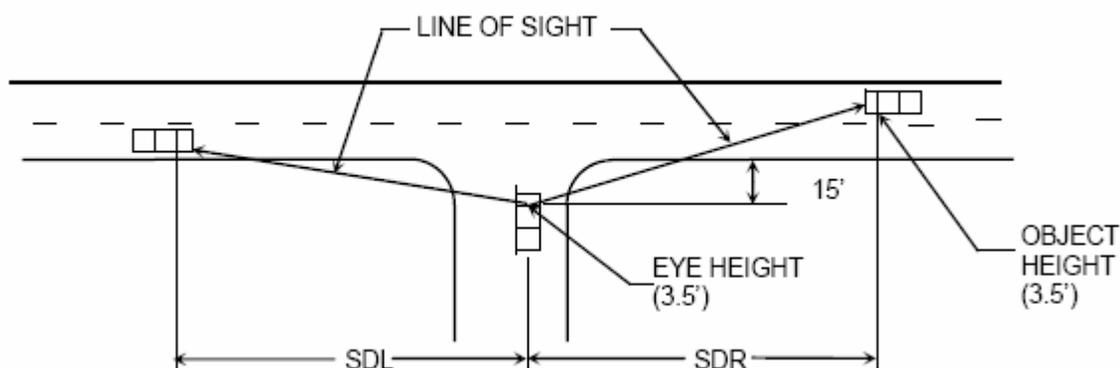
Driveway Use	Minimum Width in Feet
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Passenger Car	48
WB – 50 Truck	90

Table 7: Minimum Road Width for U-Turns

Sec. 10-4063. SIGHT DISTANCE

Driveways should be located to provide adequate sight distance. Minimum intersection sight distance criteria are provided in Table 8. The line of sight establishes the boundary of a sight triangle, within which there should be no sight obstruction. Any location where the sight line leaves the right-of-way, a permanent maintenance easement must be filed, and the area must be graded and landscaped such that sight distance is not compromised.



ARTERIAL SPEED (MPH)	SIGHT DISTANCE IN FEET				
	2 Lane	3 and 4 Lanes		5 and 6 Lanes	
	SDL=SDR	SDL	SDR	SDL	SDR
30	335	350	375	400	420
35	390	410	440	465	490
40	445	470	500	530	560
45	500	530	560	595	630
50	555	590	625	660	700
55	610	650	685	730	770

Table 8: Intersection Sight Distance Requirements

The sight distance criteria are based on the time required for a vehicle to make a left turn from a stop-controlled approach to the City roadway (AASHTO Case B1). The time to execute the maneuver is based on recommendations contained in NCHRP Report 383, Intersection Sight Distance. The sight distances, for a two-lane road, are the distances traveled at the arterial speed during 7.5 seconds. The time is increased by 0.5 seconds for each additional lane to be crossed.

The sight distances given in Table 8 are for undivided roadways. If the roadway is divided, the effect of the median should be considered in determining the required sight distance. Based on the conditions, it may be feasible for the crossing maneuver to be done in two stages with a stop in the median. However, the intersection should only be treated in this manner if the signing and

marking is accordingly provided. Otherwise, the sight distance requirements should be increased to account for the additional width that must be crossed. See AASHTO Green Book, Chapter 9 Intersections, for adjustments due to grades greater than 3% and design vehicles other than passenger cars.

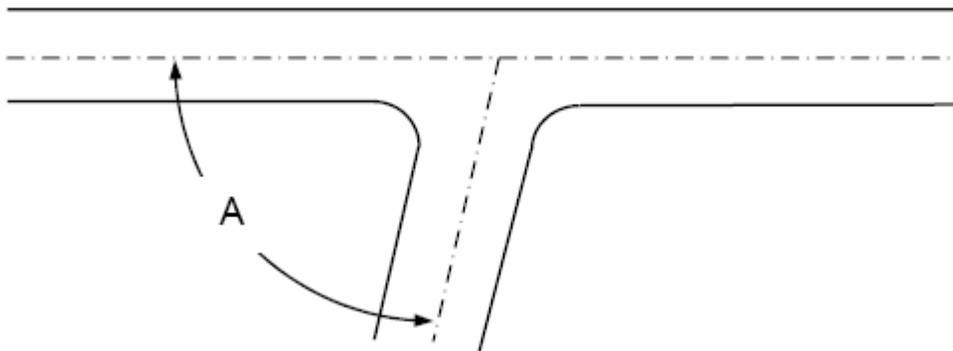
Sec. 10-4064. HORIZONTAL ALIGNMENT

In general, the horizontal alignment of driveways should be designed using a tangent section from the centerline of the City roadway and extending to the property line. Horizontal curves should be sufficient to provide safe operations at speeds that would normally occur in the areas where they are constructed.

Sec. 10-4065. ANGLE OF INTERSECTION

Intersecting driveways and roads should generally meet at or nearly at right angles. Driveways and roads intersecting at acute angles create sight limitations that should be avoided.

In some cases, a more suitable overall design can be achieved by allowing intersecting angles other than 90 degrees. Table 9 gives the minimum angle of intersection that will generally be allowed for driveways designed to accommodate two-way traffic flow.



Driveway Use	Minimum Angle of Intersection (A) in Degrees
Residential	80
Commercial	85
When Designed for Trucks	88

Table 9: Minimum Angle of Intersection for Two-Way Driveways

Sec. 10-4066. ALIGNMENT OF APPROACH AND DEPARTURE LANES

Driveways should be designed and constructed so as to align with driveways or streets on the opposite side of the roadway. The alignment of through movements crossing the roadway should be such that abrupt shifts in the travel pattern are not required.

Sec. 10-4067. AUXILIARY TURN LANES

When any auxiliary turn lane that extends beyond the applicant property frontage, the applicant will be responsible for acquiring the necessary rights of way and easements in order to accomplish the necessary frontage improvements.

Sec. 10-4068. MINIMUM REQUIREMENTS FOR DECELERATION LANES

The provisions of this section shall generally apply to auxiliary lanes installed on the approach to an intersection that provide for deceleration and storage of vehicles waiting to turn right or left. Such lanes are always beneficial and will be required in conjunction with commercial driveway permits when projected traffic volumes exceed minimum levels as provided in the sections below.

Right turn deceleration lanes must be constructed at no cost to the City if either the Average Daily Traffic (ADT) or right turning volumes shown in Table 10 are met. Passing lane sections fall under the criteria for two or more lanes.

	Two lanes on main road		More than two lanes on main road	
	35-40 mph	>40mph	35-40 mph	>40mph
Main Roadway ADT	8,000	4,000	12,000	10,000
Daily Right Turning Volume	150	75	150	75
Peak Hour Right Turning Volume	15	7	15	7

Table 10: Minimum Volumes Requiring Deceleration Lanes

In the event the Director of Public Works feels that field conditions or other factors indicate that it would be in the best interest of the City to waive the decel lane requirement, the Director of Public Works must document the recommendations. The recommendations shall be approved by the Director of Public Works and be attached to the Permit. The Director of Public Works may also require the addition of a right turn lane, even when the conditions in Table 10 are not met, if roadway geometry or field conditions indicate that the safety of the traveling public would be improved. The recommendation must be documented and approved by the Director of Public Works for inclusion with the Permit.

The right of way for deceleration lanes may be dedicated in fee simple to the City for the City to maintain or the applicant must sign an agreement with the City to maintain the lane to the City's standards and to hold harmless the City in the event that section of roadway is identified in any liability action. A Limited Warranty Deed is not acceptable when right of way is donated to the City.

The pavement specifications for deceleration lanes must be Georgia DOT Standard Specifications for Construction of Roads and Bridges, except as approved by the Director of Public Works in cases where a lesser design may be acceptable or where a proposed project is expected to tie in.

Sec. 10-4069. DECELERATION LANE DESIGN

This section provides the design guidelines that should be used to establish the lengths of turn lanes if they are required. Turn lanes should provide a full-width lane that is long enough to allow for vehicles to decelerate from the operating speed to a full stop in addition to the length of full-width lane that is needed to store vehicles waiting to turn. Table 11 contains guidelines for lengths of tapers and full-width turn lanes for deceleration right turn lanes.

Speed, mph	Full Width Storage, ft	Taper, Ft
35	100	50
40	150	50
45	175	100
50	225	100
55	250	100
60	300	100
65	350	100

Table 11: Minimum Deceleration Lane Lengths

When traffic studies are conducted, the length of full-width lane needed for storage should be determined. If the length of full-width storage is greater than the length of full-width storage shown in Table 11, the longer length should be provided.

At signalized intersections, the amount of storage for both right and left turns can be based on the number of vehicles arriving during 1.5 signal cycles.

For unsignalized intersections, a commonly used rule of thumb is that left turn storage should accommodate vehicles arriving during a two-minute period. Minimal storage is required for right turn lanes at unsignalized intersections.

Sec.10-4070. MINIMUM REQUIREMENTS FOR LEFT TURN LANES

Left turn lanes must be constructed at no cost to the City if either the ADT or left turning volumes shown in Table 12 are met. Passing lane sections fall under the criteria for two or more lanes.

	Two lanes on main road		More than two lanes on main road	
	35-40 mph	>40mph	35-40 mph	>40mph
Main Roadway ADT	6,000	4,000	12,000	10,000
Daily Right Turning Volume	300	200	300	200
Peak Hour Right Turning Volume	30	20	30	20

Table 12: Minimum Volumes Requiring Left Turn Lanes

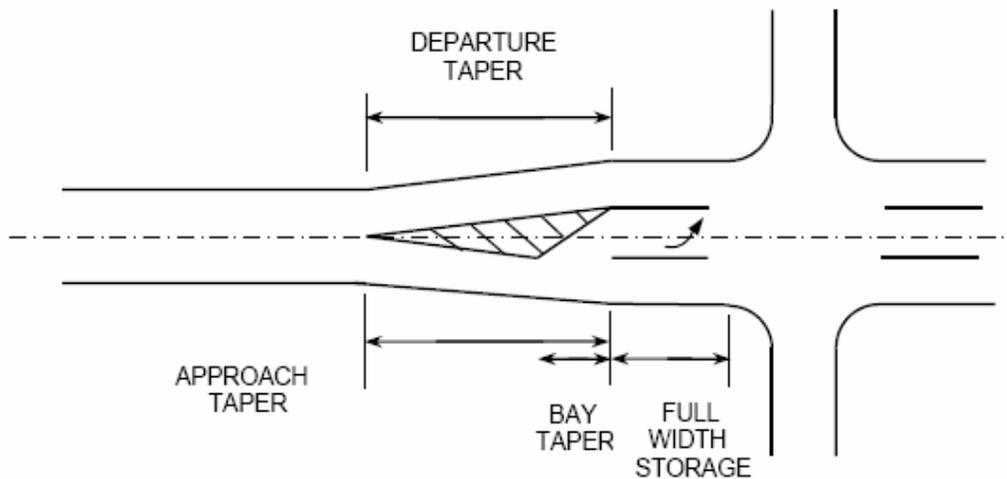
In the event the East Point Traffic Engineer feels that field conditions or other factors indicate that it would be in the best interest of the City to waive the left turn lane requirement, the Director of Public Works must document the recommendations. The recommendations shall be approved by the Director of Public Works and be attached to the Permit. The Director of Public Works may also require the addition of a right turn lane, even when the conditions in Table 12 are not met, if roadway geometry or field conditions indicate that the safety of the traveling public would be

improved. The recommendation must be documented and approved by the Director of Public Works for inclusion with the Permit.

Sec. 10-4071. LEFT TURN LANE DESIGN

The design of left turn lanes should consider the intended function and the characteristics of the roadway. In many cases, it is necessary to widen the existing roadway to introduce the left turn lane. All vehicles approaching the turn lane are shifted to the right. The left turning traffic is then shifted back into the lane. Through traffic is returned to its original lane beyond the intersection. When the roadway has a median that is at least 20 feet wide, the left turn lane can be developed out of the median, avoiding the need for transitions. If a proposed driveway aligns across the main street with another driveway, and the proposed driveway must provide a left turn lane and left turn storage, then adequate storage and tapers must also be provided for the driveway across the main street.

The basic design elements of left turn lanes are illustrated in Table 13. This example shows symmetrical widening, which basically requires the through traffic on each side to shift by one half of the lane width. Some circumstances may dictate that all widening be achieved on one side, which requires a full lane shift for through traffic on the side where the additional width is developed. Table 13 provides guidelines for selecting the proper length of approach taper.



Posted Speed Limit (MPH)	Approach Taper in Feet		Bay Taper in Feet	Full Width Storage
	6' Shift	12' Shift		
35	125	180	50	See Table 14
40	160	250	50	See Table 14
45	270	320	100	See Table 14
50	300	540	100	See Table 14
55	330	600	100	See Table 14

Table 13: Minimum Design Elements of Left Turn Lanes

The example shown in Table 13 has straight-line tapers. These are acceptable but other designs may also be used, including the following: partial tangent tapers, symmetrical reverse curve, and asymmetrical reverse curve. See latest edition of AASHTO green book for details.

The required length of full-width storage is based on the peak hour traffic volumes. This should be determined in the traffic study. The amount of storage is dependent on the type of traffic control in effect. For signalized intersections, the storage should be sufficient to accommodate the 95th percentile peak hour queue. At yield-controlled intersections, the storage is based on the number of vehicles as designated in Table 14.

Peak Hour Left Turn	Equivalent Neighborhood Size (#of Lots)	Speed Limit of Road			
30 to 36	80 to 104	95	95	95	95
37 to 84	to 268	115	115	115	115
85 to 100	to 325	135	135	135	135
101 to 125	to 417	135	135	155	175
126 to 150	To 51	155	155	175	190
151 to 175	To 607	175	175	190	210
176 to 200	To 704	190	190	210	210

Table 14: Left Turn Storage Requirements

Sec. 10-4072. RAISED ISLANDS

Islands are an important form of intersection channelization that is often needed to prohibit undesirable movements, define the paths of allowed movements, and provide a refuge area for pedestrians. Any location where two outbound lanes are proposed for a driveway at an unsignalized location, the right line must be for right-out only movement, and separated from the other lane by a raised island.

Painted lines are an effective means to direct the paths of vehicular movement. However, raised islands are more effective during times when visibility is reduced. When islands are to serve as pedestrian refuge areas, they should be constructed as raised islands. All sign posts to be placed within concrete area must have hole through pavement structure. The hole may be either formed, drilled or sawed.

Raised islands should be large enough to command attention and accommodate wheelchairs. The smallest raised island should have an area of 50 square feet in urban areas and 75 square feet in rural areas. However, 100 square feet is desirable in both cases. (Refer to revised ADA standards)

When multiple crosswalks are required to pass through islands, the required size may exceed the 100 square feet mentioned above. The additional area may be required to install wheelchair ramps. As an alternate to ramps, the pedestrian travel way can be "slotted" through the island, remaining on the grade of the roadway.

Figure 4 shows a typical design for a raised comer island at a two-lane driveway. This design uses a radius of 65' and provides an island of sufficient size for wheelchair ramps and level landings.

Figure 4 also contains a median island along the driveway. This drawing does not imply that median islands or corner islands are required for all driveways. However, large painted islands may not serve the intended channelization purpose and the type island to be used should be based on the actual circumstances of the site.

Raised islands should be offset from the edge of the adjacent travel lane on all sides. The amount of offset shall be a minimum of 18" as measured from the edge of the travel lane to the face of the curb. When raised islands are adjacent to roadways with posted speed limits of 50 MPH or greater, the island shall be offset from the edge of the roadway by a minimum distance of 10'.

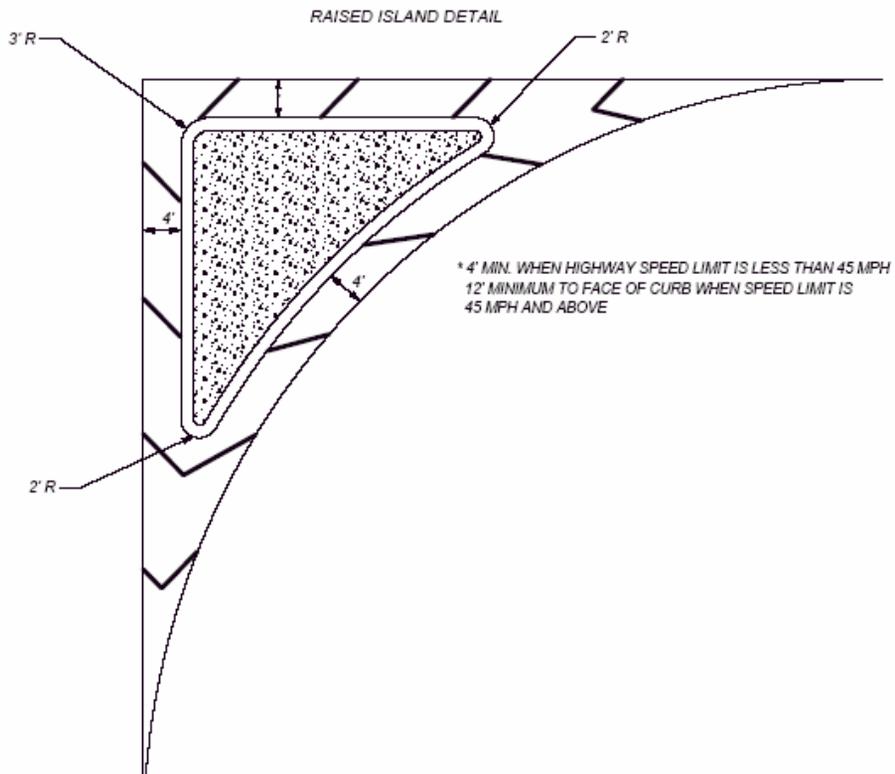
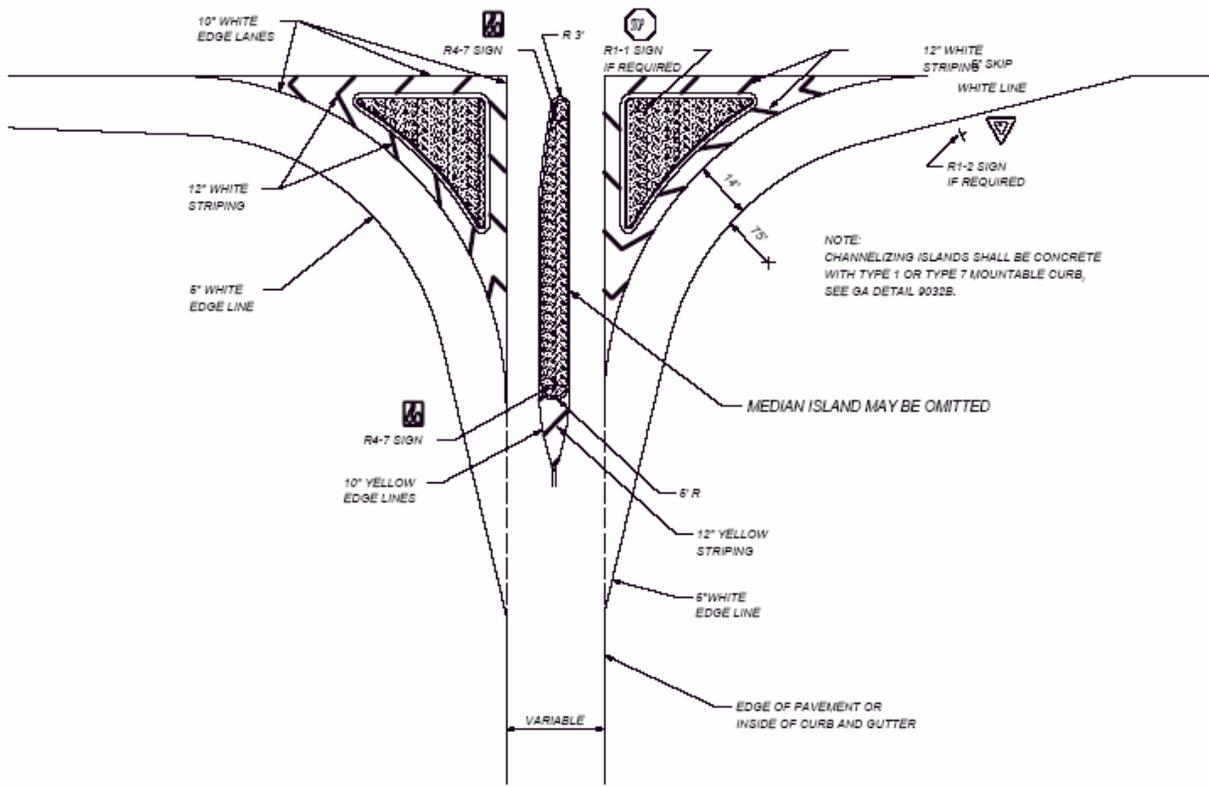


Figure 4: Design of Raised Islands

Sec. 10-4073. RIGHT-IN, RIGHT-OUT DRIVEWAYS

Raised islands are also typically used to channelize the movements at a driveway where only right turns are allowed. The raised island is an effective means of preventing left turns. All right-in, right-out islands must have a radius that is 70' or a compound curve that approximates 70'. Right-in, right-out driveways are not intended for truck traffic, so the exit and entrance lanes must be 12' in width as measured from face of curb to face of curb. The island must be constructed from mountable curb (3" vertical, 45 degree face, 3" flat) to accommodate emergency vehicles. The edge of the island should be offset 18" to 24" from the edge of the travel lane.

Sec. 10-4074. PAVEMENT DESIGN

All construction, within the right of way, of surfaces intended for travel by motorized vehicles shall be paved. The pavement specification of auxiliary lanes on City roadways shall be the Georgia DOT Standard Specifications for Construction of Roads and Bridges, or as designated in East Point Standards, whichever is more restrictive.

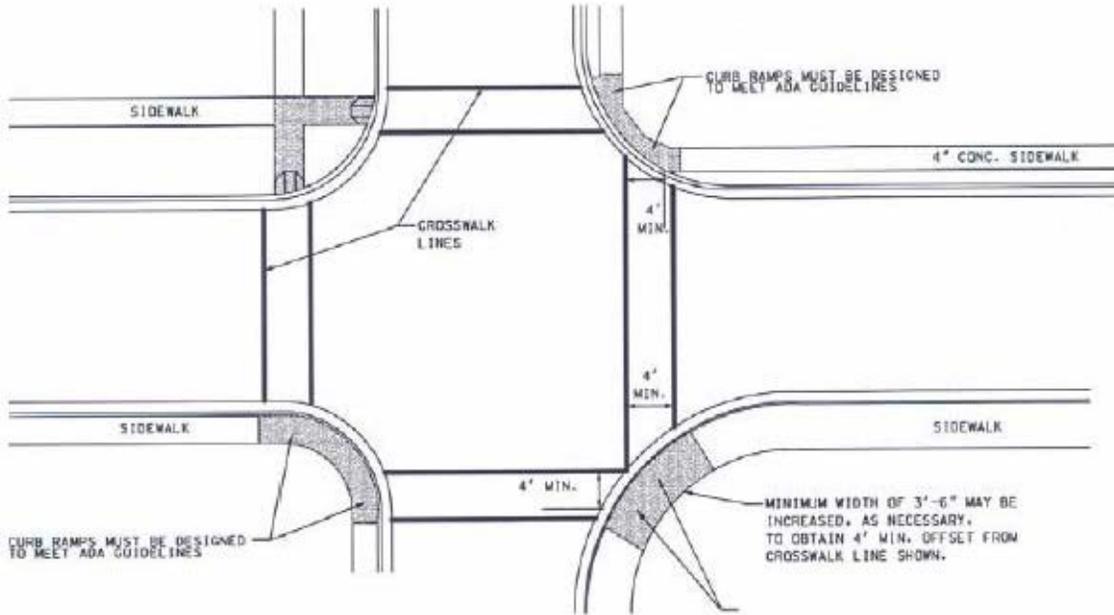
New developments are required to widen the road along their frontage to a uniform lane width of twelve feet. If the widened area is two feet or less in width, a concrete sub-base should be provided per the current standards. The developer must then either pave the entire width of the road, or mill to the centerline and pave to match the existing road. Any deviation from this standard requires a waiver from the Director of Public Works or his designee.

Sec. 10-4075. PEDESTRIAN CONSIDERATIONS

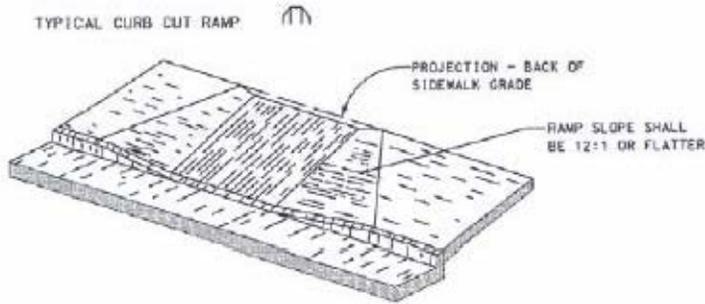
When driveways are constructed in areas where pedestrian activity is not prohibited, the design should adequately provide for pedestrian movement and interaction with vehicular traffic. Pedestrian features that should be considered include sidewalks, crosswalks, traffic control features, and curb ramps are required. The Americans with Disabilities Act Accessibility Guidelines must be utilized where pedestrian traffic is expected.

Figure 5 contains typical locations for curb cut ramps. Ramps are required at all pedestrian crosswalks where curb is constructed or replaced. The required crosswalk detail is also shown in Figure 5. See current GDOT Construction Details for the appropriate treatment.

TYPICAL LOCATIONS FOR CURB CUT RAMPS - PLAN VIEW



TYPICAL CURB CUT RAMP



STRIPING DETAIL

- NO SCALE -

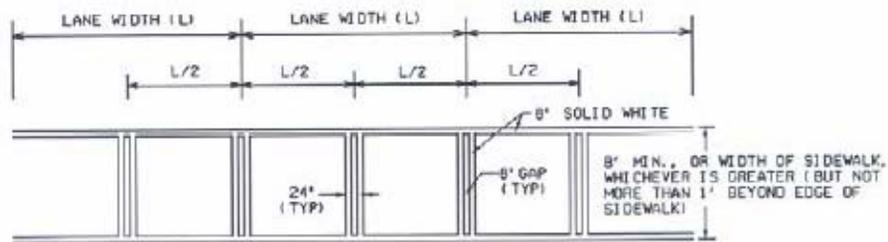


Figure 5: Typical Crosswalk Details

Sec. 10-4076. CLEAR ZONE REQUIREMENTS

Experience has shown that motorists occasionally run off the roadway and providing a traversable recovery area can lesson serious injury. AASHTO publishes a Roadside Design Guide that should be used as a reference when designing driveways.

Table 15 provides the clear zone distances as contained in the Roadside Design Guide. Driveways must be designed so that all areas within the roadway right of way have clear zones as defined in Table 15.

(from AASHTO 2002 Roadside Design Guide)

DESIGN SPEED	DESIGN ADT	FILL SLOPES			CUT SLOPES		
		6:1 or Flatter	5:1 to 4:1	3:1	3:1	5:1 to 4:1	6:1 or Flatter
40 or Less	Under 750	7-10	7-10	**	7-10	7-10	7-10
	750 – 1500	10-12	12-14	**	10-12	10-12	10-12
	1500 – 6000	12-14	14-16	**	12-14	12-14	12-14
	Over 6000	14-16	16-18	**	14-16	14-16	14-16
45 – 50	Under 750	10-12	12-14	**	8-10	8-10	10-12
	750 – 1500	12-14	16-20	**	10-12	12-14	14-16
	1500 – 6000	16-18	20-26	**	12-14	14-16	16-18
	Over 6000	18-20	24-28	**	14-16	18-20	20-22
55	Under 750	12-14	14-18	**	8-10	10-12	10-12
	750 – 1500	16-18	20-24	**	10-12	14-16	16-18
	1500 – 6000	20-22	24-30	**	14-16	16-18	20-22
	Over 6000	22-24	26-32*	**	16-18	20-22	22-24
60	Under 750	16-18	20-24	**	10-12	12-14	14-16
	750 – 1500	20-24	26-32*	**	12-14	16-18	20-22
	1500 – 6000	26-30	32-40*	**	14-18	18-22	24-26
	Over 6000	30-32*	36-44*	**	20-22	24-26	26-28
65 - 70	Under 750	18-20	20-26	**	10-12	14-16	14-16
	750 – 1500	24-26	28-36*	**	12-16	18-20	20-22
	1500 – 6000	28-32*	34-42*	**	16-20	22-24	26-28
	Over 6000	30-34*	38-46*	**	22-24	26-30	28-30

Table 15: Clear Zone Distances (in Feet from Edge of Traveled Way)

Notes:

*Clear zones may be limited to 30'

** Fixed objects should not be present in the vicinity of the toe of these slopes. The width of the recovery zones should consider a number of factors including right of way availability, economic factors, safety needs, and accident history.

All areas located within the clear zones should remain clear of obstructions such as bridge abutments, poles, trees, etc. If obstructions are unavoidable, the design should include appropriate protection such as break-away design, guardrail installation, safety end treatments on culverts, etc. The Roadway Design Guide includes a table for horizontal curve adjustments,

where the clear zone correction factor is applied to the outside of curves only. Curves flatter than a 2860 foot radius do not require an adjusted clear zone.

Sec. 10-4077. RIGHT OF WAY REQUIREMENTS

In order to construct driveways, it is often necessary to construct improvements to the City roadway. These improvements typically include the addition of lanes along the City roadway such as a deceleration lane.

If sufficient right of way exists, improvements to the City roadway may be permitted without the requirement of additional right of way. In urban sections, the right of way should be no closer than 14' from the face of curb along State Routes and 11' from the face of curb along all City roads. In rural sections, the point located one-half way up the back slope should be on or within the right of way line. Sufficient right of way should be donated to the City for the deceleration lane/commercial driveway. Paving specifications to match existing pavement or better should be full-depth to the right of way line. Depths may be reduced, if field conditions warrant, as approved by the Director of Public Works.

If additional right of way is required in order to construct the required improvements, the applicant must dedicate the right of way. The applicant must follow the procedures established in the Department of Planning and Zoning.

Sec. 10-4078. SIGNING AND MARKING

All signing and pavement marking must be designed and installed in conformance with the latest edition of the Manual on Uniform Traffic Control Devices.

Sec. 10-4079. SIGNING

All sign posts to be placed within concrete area must have 6" wide diameter space through substructure.

The traffic control signs must be installed per the most recent edition of the Manual on Uniform Traffic Control Devices (MUTCD) with relation to the installation height, size, distance from curb, etc. In general, signs should be installed at least seven feet but no more than ten feet from the ground to the bottom of the sign, and at least two feet from the face of curb to the closest edge of the sign, or as required by the MUTCD.

The signs shall be new die cut anodized aluminum (at least .080 inches thick) and installed on a single square post with standard hardware. This post should be installed to break-away standards with a slip base. The back of the installation bolts should be bent to discourage theft. The face of the sign shall be Type III (High-Intensity) sheeting or better. If the road intersects a state route, all warning signs, red series regulatory signs, including Stop, Yield, and Do Not Enter signs shall be fabricated from Type VI (Wide Angle Prismatic) reflective sheeting. No two signs shall be mounted on the same post. Should the applicant wish to use decorative poles, a custom sign permit will need to be applied for in the Department of Public Works.

As part of the Land Disturbance Permit Process, the Department of Planning and Zoning will identify the number and location of signs. The minimum sign installation shall conform to the standards established below.

The applicant will be responsible for maintaining the signs from installation to final inspection. The City reserves the right to replace stop or yield signs if they have been down for more than 12 hours, to replace any regulatory signs if they have been down for more than 7 days, and to replace any other signs if they have been down for more than 14 days. This will be done at the cost to the applicant of two hundred and fifty dollars (\$250.00) per sign.

The sign inspection shall be done by the Planning and Zoning Department prior to acceptance of the final plat or as established by the Director of Planning and Zoning. The signs should be performance bonded at the same time as the pavement at a cost of one hundred dollars (\$100.00) per sign or as established by the Director of Planning and Zoning. If the City needs to replace any signs at the time of the final inspection, the value would be forfeited.

The following signs shall be installed in all new subdivisions as applicable:

Sec. 10-4080. STOP SIGNS (R1-1)

The STOP sign shall be installed on the right side of the approach to which it applies. Stop lines, when used to supplement a STOP sign, should be located at the point where the road user should stop. Where there is a marked crosswalk at the intersection, the STOP sign should be installed in advance of the crosswalk line nearest to the approaching traffic.

STOP signs should be installed in a manner that minimizes the numbers of vehicles having to stop. In most cases, the street carrying the lowest volume of traffic should be stopped. A STOP sign should not be installed on the major street unless justified by a traffic engineering study as recommended by the MUTCD. If two streets with relatively equal volumes and/or characteristics intersect, typically the direction that conflicts the most with established pedestrian crossing activity or school walking routes or the direction that has the longest distance of uninterrupted flow approaching the intersection should be stopped.

No all-way stops may be installed in a new subdivision without the permission of the Director of Public Works.

Sec. 10-4081. YIELD SIGN (R1-2)

Yield signs shall be installed when there are right turns at an intersection that are channelized apart from the through and/or left turn movements with a striped or raised island. In addition, yield signs should be installed on each approach of a roundabout.

Sec. 10-4082. RIGHT LANE MUST TURN RIGHT SIGN (R3-7R)

Right Lane Must Turn Right signs shall be installed 25 feet from the back of the full width storage in the deceleration lane for the development, if applicable.

Sec.10-4083. SPEED LIMIT SIGN (R2-1)

Speed Limit signs shall indicate a 25 mph speed limit for streets internal to residential subdivisions, unless it is a local collector road for the development, and then it should be no higher than 35 mph. For neighborhood settings, only one speed limit sign shall be installed at each project entrance or at the points of change from one speed limit to another. This sign should be installed no less than 100 feet from the entrance of the subdivision, but no greater than 500 feet from the entrance.

Sec.10-4084. STREET NAME SIGN (D3-1)

Ground-mounted street name signs shall be installed at every intersection and shall conform to City of East Point Department of Public Works requirements. Instead of ground-mounted signs, however, overhead street name signs shall be installed where a subdivision street intersects at any traffic signal. Overhead street name signs shall include the City of East Point logo.

Street name signs for public roads shall be green and street name signs for private roads shall be blue. The letter height must have at least 7-inch upper-case letters and at least 5-inch lower-case letters. The Letters should be in "Advantage Medium" font or as approved by the Department of Public Works. The street name sign shall be a combination of lower-case letters with initial uppercase letters. If the street has no outlet, a "No Outlet" legend should be put on the end of the street name sign blade closest to the main road. The "No Outlet" legend should have at least 3 inch high all-capital black letters on a yellow field that is no more than eight inches wide.

The street name sign should be constructed on flat blades and not extruded blades. They may be either riveted back-to-back or two-sided at the applicant's preference. The street name sign cannot be posted on the same post as the stop sign.

Sec.10-4085. ROUNDABOUT SIGN

Roundabouts must be signed and marked per East Point standards. This includes yield signs for every approach, as well as an advance roundabout sign as established by the Department of Public Works. The pavement marking shall include yield lines and channelization islands for each approach.

Sec.10-4086. STOP AHEAD SIGN (W3-1) & YIELD AHEAD SIGN (W3-2)

The Stop Ahead and Yield Ahead signs shall be installed on an approach to a primary traffic control device that is not visible for at least 250 feet. Please refer to Section Tables 2C.29 in the MUTCD for additional information.

Sec. 10-4087. PLAYGROUND SIGN (W15-1)

Playground signs shall be installed on any vehicular approach to an amenities area.

Sec. 10-4088. ADDITIONAL SIGNS

Additional signs may be required as appropriate by the Department of Public Works or the field inspector.

Sec. 10-4089. SIGN INFORMATION AND SIZES

All signs shall be of the sizes as designated in Table 16. This table also included the appropriate reference sections of the MUTCD which explain the proper use and installation of each of the signs previously designated.

Sign	MUTCD Sections (2003 Ed.)	Size
Stop (R1-1)	28.04 to 2B.07	30" X 30"
Yield (R1-2)	2B.08 to 2B.10	36" X 36" X 36"
Speed Limit (R2- 11)	2B.13; 2B.18	24" X 30"
Right Lane Must Turn Right (R3-7R)	2B.21	30" X 30"
Roundabout and simple alignment warning signs	Review section 2C	30" X 30"
Stop Ahead (W3-1a) and Yield Ahead (W3-2a)	2C.29	36" X 36"
Playground Ahead (W15-1)	2C.42	30" X 30"
Street Name (D3-1)	2D.38	vaner

Table 16: Sign Information and Sizes

Sec. 10-4090. PAVEMENT MARKING

Pavement markings are required to separate lanes of travel and should be used along all edges of pavement. The following guidelines are provided for designing and installing pavement markings for driveways:

- All pavement markings installed within the public right-of-way shall be thermoplastic material
- Lane lines are generally 5" (white); lane lines are not required where curb and gutter has been provided
- Stop lines should be 24" (white)
- Center lines should be 5" double yellow
- Deceleration and left turn lanes should have turn arrows (Type 2) spaced every 100' and "ONLY" legends between every pair of Type 2 Arrows
- Crosswalks should use the current Georgia DOT standard (see Figure 5)

ARTICLE J. INFILL

Sec.10-4091. DEFINITIONS

1. For the purposes of this section, the term "Infill" shall apply to all residential zoning categories excluding Townhomes (TH) and Apartments.
2. For the purposes of this section, Accessory Structure shall mean- detached garages, carports, storage sheds, etc. and shall meet the minimum setback requirements prescribed by the applicable zoning district. Said structures shall be constructed of similar building materials and orientation of the principal structure.
3. For the purposes of this section, the term "Infill Development" shall mean the construction and/or reconstruction of at least twenty-five (25) percent of the exterior of a residential structure. Infill Development shall be required if a developer is building five (5) or less homes. A single-family detached structure constructed on three (3) acres or more is exempt from this ordinance.
4. For purposes of this section, the term "Survey Area" shall mean:
 - a. The three (3) nearest homes on both sides of the lot to be developed;
 - b. Any home directly to the rear of the lot to be developed; and
 - c. The six (6) homes directly across the public right-of-way to the front of the lot to be developed.

In the event that topography, zoning district boundaries, city limits, or other logistical matters render strict compliance with a. and/or b. above impossible, the Director of Planning and Zoning shall determine the Survey Area as strictly as possible in compliance with 4a. and 4b. as stated above.

- (i) In order to establish and maintain compatibility among residential developments and to preserve the aesthetic qualities of neighborhoods, which serves to preserve the property values of all residential land owners and developers, promote the health, welfare and safety of neighborhoods, and preserve the tax base of the City of East Point, the following design requirements are hereby mandated for all residential infill developments, in addition to all other construction standards contained in this Code.
 - (ii) The developer of a proposed Infill Development shall submit to the Planning and Zoning Department, an Infill Compatibility Survey, on the form provided by the Planning and Zoning Department that illustrates the size, scale, and overall visual character of the structure including setbacks, height and basic architectural features of homes in the survey area. The applicant shall also submit labeled pictures of the survey area.
5. The minimum requirements for residential Infill Development, to be shown on the Infill Compatibility Survey, shall be as follows:

- (a) *Height.* The maximum height is measured between the highest point along a roof or highest ridge line of a proposed home, and the slab or crawl space on grade. The height shall comply with the requirements of the applicable zoning district. For purposes of building height, chimneys, as well as flues, vents, pipes, antennae, and other small projections less than twenty-four (24) inches in width/diameter (measured at the widest point) shall not be included in the above measurement.
- (b) *Number of stories.* The number of stores shall comply with the height requirements of the applicable zoning district.
- (c) *Orientation of the front door.* The home shall have its front entrance facing the street (if the lot faces more than one (1) street, then facing the street that existing homes in the survey area face), and shall have no less than twenty-five (25) square feet of framed window facing said street, or no less than eighty-five (85) percent of the average square footage of framed window facing said street for homes within the survey area, whichever is less.
- (d) *Orientation of the house.* The Infill home shall have the same orientation to the streets as the majority (51%) of the existing homes within the survey area. Where the dimensions of the lot, or other site-specific obstacles, do not permit the same orientation as a majority of existing structures in the survey area, the property owner, or his or her representatives, may file for a variance with the Planning and Zoning Commission, which variance shall be considered in conformance with the procedures and standards contained in City Code Part 10, Planning and Development, Chapter 1, Planning and Zoning Commission Powers and Duties in Administration of Zoning Regulations.
- (e) *Garages and carports.* Where a majority (51%) of existing homes have garages or carports within the survey area, the Infill home shall include a garage or carport. The garage or carport frontage shall meet all setback requirements of the applicable zoning district. The orientation of garages and carports shall be consistent with the majority (51%) of such structures within the survey area. Where possible, garages and carports shall be oriented and entered from the side or rear of the Infill home, and out of view of the public way. A detached garage within an Infill Development is considered an accessory structure and must comply with the Infill standards and applicable zoning district.
- (f) *Exterior materials.* The exterior materials of an Infill Development, including garages, carports and other accessory structures, shall conform to the following requirements:
 - (i). All exterior finishes shall be either brick, stone, masonry, wood, masonry composite, or such other similar exterior finish as may be approved by the Director of Planning and Zoning.
 - (ii). Where either brick, stone, masonry, wood, or masonry composite is used on a majority (51%) of existing homes in the survey area, the Infill Development shall include and reflect the majority (51%) of the homes' building materials on the front,

sides and rear of the structure as demonstrated in the community and if visible from a public right-of-way.

- (g) *Square footage requirements.* The footprint for Infill homes shall be no greater than fifty (50) percent larger than the average footprint for all homes within the survey area, and shall be no smaller than (10) percent of the average footprint for all homes within the survey area. The total heated floor area of an Infill home shall be equal to or greater than a majority (51%) of the existing homes in the survey area.
 - (h) *Foundations.* Foundations shall reflect the character and style of homes in the survey area. However, no foundation shall have exposed concrete. Concrete foundations, where exposed, must be covered in stucco, brick or other approved masonry material used in the majority of the homes in the survey area.
 - (i) *Fireplaces and chimneys.* Where the majority (51%) of existing homes in the survey area have fireplaces and chimneys, the Infill home shall include fireplaces and chimneys to reflect the character and style of homes in the survey area. Chimneys shall be covered in stucco, brick or other approved masonry material, unless a different material is used in the majority (51%) of the existing homes in the survey area and shall terminate at finished grade.
 - (j) *Front porch or stoops.* Where the majority (51%) of existing homes in the survey area have a functional front porch or stoop, or similar front entry feature, the Infill home shall have such a feature. The inclusion of these features shall be consistent with the setbacks of the applicable zoning district. Architectural features and dimensions shall conform to those of the majority (51%) of homes in the survey area.
 - (k) *Overhangs.* The roofs of all Infill homes shall be constructed in such a manner as to provide soffits (i.e. the horizontal underside of the eaves) that extend a maximum horizontal distance of one (1) foot beyond the face of the exterior walls.
 - (l) *Lot frontage.* Lot frontage for Infill homes shall not vary more than ten (10) percent from the average lot frontage of existing homes in the survey area.
- (5) Relief. To apply for relief from any of these requirements, the property owner, or his or her representatives, may file for a variance with the Planning and Zoning Commission. That variance shall be considered in conformance with the procedures and standards contained in City Code Part 10, Planning and Development, Chapter 1, Planning and Zoning Commission.

Sec. 10-4092. PUBLIC PARTICIPATION PROGRAM

The public participation program is in place to ensure that applicants pursue early effective public involvement in conjunction with their petitions, ensure that the citizens of East Point have an adequate opportunity to learn about petitions that may affect them, and to ensure ongoing communication between applicants, adjoining property owners, neighborhood groups, community associations and other organizations, elected officials and city staff. A minimum

target area for public participation shall be a 500-foot radius from the affected property. At the Director of Planning and Zoning's discretion, a greater distance may be required. Applicants are required to submit a public participation plan for meeting with interested citizens to advise residents of residential infill applications and to allow citizens the opportunity to discuss concerns and provide input about project design or development. An applicant's responsibilities are to inform the public, solicit input, and provide a summary of these activities in the form of a written report.

The requirement for a public participation plan does not give communities decision making powers. Applicants are encouraged to listen to the concerns of the community and seek to reach a consensus on the outstanding issues. A refusal by the community to meet with applicants or to return the completed and signed Departmental documents does not mean that the applicants fail to meet the requirements of the public participation program.

Public participation plans are required with all residential infill applications and must be filed simultaneously with the application. An application for building permit may be denied by the Department of Planning and Zoning if the report is not submitted as required.

Sec. 10-4093. PUBLIC PARTICIPATION PLAN

Every application for residential infill shall include a public participation plan.

Minimum Standards:

1. Identification of all property owners within 500-foot radius of the site, area neighborhood groups, community associations, other organizations and any political subdivision of the state (elected council ward representatives) which may be affected by an application.
2. Detailed explanation of how interested parties will be informed of a residential infill.
3. Methods for providing opportunities for discussion with interested parties before meetings are held. Applicants are required to schedule at least one meeting at a convenient location and time and notify all interested parties of the purpose, place and time of meeting.
4. Applicant's schedule for completion of the public participation plan.
5. Site plan and sketches, including at least the building footprint and front and side elevations, of any structure to be built.

Sec. 10-4094. PUBLIC PARTICIPATION PLAN REPORT

Every application for residential infill is required to provide a public participation report which shall include the items listed below:

1. Provide a list of all parties that were contacted, the methods of notification that were used, and copies of all notification letters.

2. Provide a copy of letter of notification to impacted adjacent property owner.
3. Provide dates and locations of all community and/or other meetings that were attended by the applicant to discuss an application (Attach meeting notices, letters, etc.)
4. Provide the number of people who participated in meetings held to discuss an application. (Attach sign-in sheets)
5. A summary of concerns and issues expressed by interested parties.
6. A summary of the applicant's response to concerns and issues.
7. A signed copy of the Notification form, signed by both the applicant and a representative of the community presented to.
8. Applicant shall attach a copy of the development plan presented to the community representative.
9. Applicant shall bring to the community meeting copies of the plan which can be distributed and kept by the community. (Size not to exceed 11 x 17 inches)
10. Applicant shall conduct an additional community meeting if any modifications are made to the application after it has been reviewed by the appropriate property owners, neighborhood groups, community associations other organizations and any political subdivision of the state (elected council ward representatives) affected by the application.

Sec. 10-4095. COMMUNITY RESPONSIBILITY

The affected community shall also fax, mail, e-mail or hand deliver to the Department of Planning and Zoning a copy of the signed form by both parties in order to insure that the information submitted by the applicant reflects what was presented to the community. The form must be submitted within five (5) days after the scheduled community meeting.

ARTICLE K. DEVELOPMENT REGULATIONS

Sec.10-4096. SCOPE AND INTENT

This Article includes a variety of development related regulations which are designed to insure that development, and infrastructure additions and improvements are provided in the best interest of the health, safety and welfare of the citizens of East Point, and to assure that development regulations and review procedures are standardized and equitably applied.

Sec. 10-4097. COMPLIANCE

Any land disturbance activity or any development activity must comply with the development standards of East Point along with any other applicable local or state regulations. Compliance with the provisions of this Article, and actions to bring about compliance with this Article shall be in accordance with administrative guidelines of the Planning and Zoning Department.

Sec. 10-4098. APPEALS

The Director of Planning and Zoning shall administratively consider variance appeals to **DEVELOPMENT REGULATIONS** in accordance with Article I, APPEALS.

Sec. 10-4099. PERMIT AND SIGN-OFF REQUIREMENTS

These standards acknowledge or establish East Point requirements for permits for development of properties within the incorporated area of East Point. All development shall comply with these and other requirements including, but not limited to, the East Point Stream Buffer Protection Ordinance, the East Point Tree Protection and Landscaping Ordinance, the East Point Soil Erosion and Sediment Control Ordinance, and the Georgia Metropolitan Area River Protection Act.

Sec. 10-4100. LAND DISTURBANCE PERMIT PREREQUISITES

Prior to the issuance of a Land Disturbance Permit or the issuance of a certificate of occupancy for each phase of development, the following documents shall be submitted to the Director of Planning and Zoning for approval.

- A. Site Plan. A site plan which meets or exceeds the requirements contained herein and the Planning and Zoning Department administrative guidelines, and incorporates the following therein:
 - 1. A certified boundary description based on a survey of the entire property.
 - 2. A graphic representation of those conditions of zoning which can be graphically represented. This is not intended to require that conditions of zoning be written-out on a site plan.
 - 3. Zoning case number and other relevant file numbers.
- B. Grading Plan with Phasing.
- C. Erosion and Sediment Control Plan. A separate sheet depicting erosion and sediment control measures as required by the State of Georgia.
- D. Landscape/Tree Protection Plan. A detailed landscape or tree protection plan for all required buffers, landscape strips, tree protection zones, and screened areas. If project completion does not coincide with an appropriate planting season, or if water prohibitions are in effect, a performance bond may be posted to delay planting until an appropriate time approved by the Planning and Zoning Director.

E. Storm Water Management Plan

1. Evaluate the downstream ditch stability and bank erosion protection potential of existing downstream conveyance system. Provide all necessary documentation to the Department of Public Works, Storm Water Management Section at construction drawing phase.
2. Contact the Department of Public Works, Storm Water Management Section to arrange an on-site evaluation as to the location of storm water facility, discharge path of detention/retention pond and other downstream constraints.
3. The design discharge at the outlet of drainage system shall not result in velocities that equal/exceed the erosive velocity or the existing receiving channel/draw, unless dissipation and erosion protection measures are placed at the outlet. Said documentation shall be provided to the Department of Public Works, Storm Water Management Section.
4. Provide downstream analysis of the flood discharge timing effect on the existing conveyance systems due to each storm frequency.
5. All natural streams within the limit of the project must be stable and be expected to remain stable under ultimate development or provide appropriate erosion protection for the streams subject to the approval of the Department of Public Works, Storm Water Management Section.
6. Evaluate the downstream effect from storm water management structures and the development, hydrologic-hydraulic engineering studies shall extend downstream to a point where the proposed development represents less than ten (10) percent of the total watershed to this point.
7. The result of the extended downstream point analysis (10 percent point) shall be included in the hydrologic study submitted with the storm water management plan. Said documentation is subject to approval by the Department of Public Works, Storm Water Management Section.
8. Provide Detention/Retention as maybe required by East Point subject to the approval of the Department of Public Works.
9. The development site shall be graded in such a manner that the surface runoff does not affect downstream lots, flow through lots shall be collected and conveyed in appropriate storm drainage system. Documentation shall be provided at construction drawing phase.

F. Other Plans, as Applicable.

1. Water and waste water plans

- a. Water and waste water systems constructed under the jurisdiction of East Point Government shall abide by the Department of Public Works.
- b. East Point Public Works does not guarantee the availability of water or waste water capacity.
- c. Matters pertaining to septic systems shall be determined by the Fulton County Health Department.
- d. The project being proposed shall utilize one Geographical Information System (GIS) monument as the development's benchmark. Furthermore, the developer shall abide by all provisions of the East Point "Monument Resolution", as established by the Department of Public Works.
- e. Matters pertaining to pump stations shall be pre-reviewed by the Department of Public Works, Engineering Support Services Division, with regards to current policy, prior to the submittal of project design drawings.
- f. All appropriate fees shall be paid by the developer prior to the issuance of any Land Disturbance Permits.
- g. The developer is required to extend the water pipe line system across the entire length of road frontage, within the right-of-way.
- h. At the time of design review, the Department of Public Works, Engineering Support Services Division may require the developer to connect (loop) the project to the adjoining property, for flow enhancement of the public water system.
- i. Rerouting of existing water pipe lines and/or waste water pipe lines shall be pre-approved by the Department of Public Works, Engineering Support Services Division, prior to the submittal of project design drawings.
- j. As part of the project, the developer is required to network the waste water pipe line system to all upstream properties.
- k. Easements dedicated to East Point Government shall abide by all established standards. All easements shall be obtained and approved by the Department of Public Works, Engineering Support Services Division.
 1. Conflicts, with other review disciplines of East Point Government shall be submitted to and resolved by the Department of Public Works, Engineering Support Services Division.
 2. Profiles of roads and sewers.

3. Traffic signs and striping.
4. Standard Construction Details.
5. Proposed Permanent Stormwater Management Plan.
6. A traffic impact mitigation plan which details an owner's or developer's plan to address the number of trips that their development will produce when such development is within one mile of a roadway operating at a level of service D or lower as established by the Department of Public Works. This plan shall include, but is not limited to roadway improvements including costs and other proposals such as providing transit access, transit use incentives, car/van pooling, bicycle path construction, internal sidewalk construction, and lunch trip reduction, which when combined mitigate the traffic impact of the proposed development and shall also include a time table for the construction/implementation of improvements and who will be financially responsible for them.

G. Permits. Agreements. Studies as Applicable.

1. An approved curb cut permit from the Georgia Department of Transportation or the East Point Planning and Zoning Department.
2. Health Department approvals.
3. Right-of-way dedication.
 - a) Property Owners be required to dedicate at no cost to East Point, along the entire frontage, sufficient right-of-way to provide a minimum 10.5 foot shoulder behind any required project improvement subject to the approval of the Director of Public Works.
4. Off-site transportation improvement funds and agreements.
5. Fire Department approval.
6. Sanitary sewer pre-treatment approval.
7. Siltation Study.
 - a. At the discretion of the Director of Planning and Zoning, submit prior to the issuance of a Land Disturbance Permit and prior to recording of the final plat for each phase of development, base siltation studies of any water bodies located on the development site and on adjacent properties. Said studies shall identify, for

removal by the applicant, prior to recording of the final plat for each phase of development, all siltation resulting from the development.

- b. At the discretion of the Director of Planning and Zoning, prior to the recording of the final plat for the final phase of development, submit a performance bond for the removal of any siltation resulting from the development. The performance bond shall remain on file in the Planning and Zoning Department until release of the occupancy certificates for a minimum of 90% of all residences permitted pursuant to the development or 3 years from the date of the first certificate of occupancy, whichever is earlier.

Sec. 10-4101. PREREQUISITE TO OCCUPANCY PERMIT INSPECTION

The Public Works Department shall notify in writing the Planning and Zoning Department of holds on the issuance of a certificate of occupancy on a project.

- A. Single-family Residential. Before a certificate of occupancy may be considered by the Planning and Zoning Department for any dwelling located in a subdivision, the items listed under "B"., below, must have been signed-off on by the Department of Inspections and Zoning Enforcement as complete for that phase of the subdivision in which a dwelling is located.
- B. All Structures Except Single-family Residential. Before a certificate of occupancy may be considered for a structure, including the first of several structures within a development, the following must have been signed-off on as complete by the Planning and Zoning Department:
 1. Required Landscaping
 2. Required Buffers
 3. Required Tree Protection Measures
 4. Required Walls and Fences
- C. Exceptions. The Planning and Zoning Department shall insure that security has been accepted in accordance with City regulations for all required but incomplete improvements. A certificate of occupancy shall not be withheld whenever deficiencies have been secured.

Sec. 10-4102. SITE IMPROVEMENT STANDARDS

These standards shall regulate site improvement, and the provision of amenities related to site improvement.

Sec. 10-4103. OFF-STREET PARKING

Property owners shall provide and maintain off-street parking throughout construction. Parking on any lot other than the lot for which a building permit is issued must be approved for a temporary parking lot by the Planning and Zoning Department.

Sec. 10-4104. INTERPARCEL ACCESS

Interparcel access shall be provided to adjacent properties upon determination by the Director of the Planning and Zoning Department that such access is in the best interest of the public health, safety or welfare.

Sec. 10-4105. SIDEWALKS, CURB AND GUTTER

Sidewalk, curb and gutter shall be provided for all development projects except as determined by the Department of Public Works.

Sec. 10-4106. DETENTION/RETENTION

On-site storm water detention facilities shall not be located within any required buffer or landscape strip. Detention facilities shall not be located within parking or loading areas unless approved by the Department of Public Works. A 20-foot wide landscape strip planted to buffer standards shall be provided around the exterior of the detention area outside of the access easement or as may be approved by the East Point Planning and Zoning Director.

Sec. 10-4107. COMPLIANCE WITH TREE PROTECTION AND LANDSCAPE ORDINANCE

Prior to applying for a Land Disturbance Permit, the owner shall arrange with the an arborist, for an on-site evaluation of existing specimen trees and stands of trees, and an evaluation of buffers and tree protection zones. At a minimum, the tree density requirements prescribed by the East Point Tree Protection and Landscaping Ordinance shall be provided and permanently maintained.

Sec. 10-4108. SUBDIVISION ACCESS

Any subdivision of land for single family that has new roads providing direct access to the lots within the subdivision shall be limited to newly constructed internal roads.

Sec. 10-4109. MINIMUM SETBACK FOR NEW STREET

The right-of-way for new streets must be located a minimum of 50 feet from any peripheral property line adjoining AG-1 and residentially zoned property unless interparcel access is required.

Sec. 10-4110. DAMS

All dams within the jurisdiction of East Point shall comply with the provisions of the Safe Dam Act and Rules of Georgia Department of Natural Resources.

Sec. 10-4111. BUILDING SETBACK FROM PIPELINE EASEMENT

A. Setback Requirements.

No buildings used for human occupancy shall be permitted within forty (40) feet of any easement containing a gathering or transmission line as defined in this ordinance.

B. Land Use Restrictions.

No building or structure or part thereof, which is used for the manufacturing, processing, generation or storage of any material in the following listing shall be constructed within one hundred twenty-five (125) feet of any gathering, or transmission line easement:

1. corrosive materials
2. highly toxic materials
3. oxidizing materials
4. pyrophoric materials
5. water reactive materials
6. highly combustible materials
7. flammable materials
8. explosive materials
9. materials that pose a hazard to human health
10. loose or combustible materials

C. Exceptions and Exemptions.

This Ordinance shall not apply to:

1. Any land disturbance or construction necessary to provide access to a property, construction necessary to provide utility service to a parcel of land;
2. Any land disturbance or construction on a gathering or transmission line by or on behalf of the owner or operator of the gathering or transmission line;
3. Any driveway, street, parking lot, tennis court, volleyball court, play area, recreational area, deck, patio, or any other impervious surfaces.

D. Variance Criteria.

The reconstruction of any structure existing at the time of this Section's adoption that does not comply with the terms of this Section 10-2185 may be considered for an

Administrative Variance in accordance with Article I and special consideration be given for reconstruction on same foot print when safety permits.

Any other deviation to the requirements of this Section shall be considered as a Primary Variance or Concurrent Variance in accordance with Article I Appeals, and shall comply with Section 10-2184 Variance Considerations.

E. Land Disturbance Permit Requirements

In addition to any other requirements contained herein, all land disturbance permit applications shall provide the following:

1. A survey by a professional engineer or land surveyor licensed in the State of Georgia indicating the location of all gathering or transmission line easements and rights-of-way indicating:
 - a. gathering or transmission line plan location and depth;
 - b. gathering or transmission line size;
 - c. the location of all off-site gathering or transmission line easements and rights-of-way within forty (40) feet of the boundaries of the subject property.

Sec. 10-4112. BURYING OF CONSTRUCTION MATERIAL

No person shall bury unused, scrap, waste, excess or discarded construction material without the approval of a Use Permit for an inert waste landfill in accordance with Article D. Any person who violates this provision shall be deemed guilty of a misdemeanor and subject to the provisions of Article F, Violation and Penalty.

Sec. 10-4113. WASTEWATER PUMP AND LIFT STATIONS

A minimum 50-foot buffer and 10-foot improvement setback shall be provided along all property lines adjacent to residentially and/or agriculturally zone properties used for residential or public recreational purposes.