

**THE SUBDIVISION REGULATIONS
OF THE
CITY OF UNION CITY, GEORGIA**

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ARTICLE I - AUTHORITY, TITLE, PURPOSE AND INTENT

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND WITHIN THE INCORPORATED CITY OF UNION CITY, GEORGIA; PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND FOR OTHER PURPOSES.

Section 1.1 Authority

This Ordinance is adopted under the authority of the Constitution of the State of Georgia and laws enacted pursuant thereto.

Section 1.2 Short Title

This Ordinance shall be known and may be cited as "The Land Subdivision Regulations of the City of Union City, Georgia."

Section 1.3 Purpose

These regulations are intended to serve the following purposes.

- (A) To protect and promote the health, safety and general welfare.
- (B) To provide a system for the subdividing of lands and the accurate recording of land titles.
- (C) To encourage economically sound and orderly land development in accordance with the Comprehensive Plan and other policies and objectives of the City.
- (D) To assure the provision of needed open spaces and public facility sites in new land subdivisions through the dedication or reservation of land for public purposes.
- (E) To assure equitable review and approval of all land subdivisions by providing uniform procedures and standards for the subdivider.

Section 1.4 Intent and Application

It is the intent of this Ordinance that it will apply to and provide guidance for the subdivision of lands within the incorporated limits of the City of Union City, Georgia. Any land development activity must first comply with this Ordinance.

Section 1.5 Use of Words and Interpretation

- (A) For the purposes of this Ordinance, the following shall apply to the use of all words:

- (1) Words used in the present tense shall include the future tense,
 - (2) Words used in the singular number include the plural and words in the plural number include the singular,
 - (3) Words in masculine gender shall include the feminine and words in feminine gender shall include the masculine,
 - (4) The term "shall" is mandatory and not discretionary,
 - (5) The word "may" is permissive,
 - (6) Use of the word "and" is inclusive and requires that all of the component phrases so connected must be present or fulfilled for sufficiency,
 - (7) Use of the word "or" is not exclusive and requires that at least one of the component phrases so connected must be present or fulfilled for sufficiency. The word "or" may allow more than one component phrase to be present or fulfilled, as in the term, "and/or".
- (B) In this Ordinance the following shall control the interpretation of words and phrases:
- (1) Words and phrases defined in this Article shall be interpreted as defined herein without regard to other meanings in common or ordinary use, unless the context of the word indicates otherwise.
 - (2) Words or phrases not defined herein shall be interpreted as defined in the Zoning Ordinance of Union City, Georgia, as defined in the Development Regulations of the City of Union City, Georgia, as defined in the Soil Erosion and Sediment Control Ordinance of Union City, Georgia, as defined in the Sewer Use Ordinance of the City of Union City, Georgia, or the Flood Plain Ordinance of Union City, Georgia, as applicable to the use of the word or phrase within the context of this Ordinance.
 - (3) Words or phrases not defined herein or in any other applicable code, regulations or ordinance of the City of Union City, Georgia shall be construed to have the meaning customarily assigned to them.

ARTICLE II – DEFINITIONS

Section 2.1 Block - A parcel of land entirely surrounded by public streets, or other major physical barriers.

Section 2.2 City - The City of Union City, Georgia, a municipal corporation.

Section 2.3 City Council - The legally constituted and elected governing body of the City of Union City,

Georgia.

Section 2.4 Comprehensive Plan – A policy guideline, which may consist of maps, data and other descriptive matter, for the physical development of the City or any portion thereof, including amendments, extensions or additions thereto recommended by the Planning Commission, indicating the general location for major streets, parks or other utilities, zoning districts or other similar information. The Comprehensive Plan is based upon and includes studies of the location and extent of present and anticipated population, social and economic resources and problems, and other useful data.

Section 2.5 Crosswalk – A right-of-way within a block dedicated to public use, intended primarily for pedestrians and from which motor propelled vehicles are excluded.

Section 2.6 Cul-de-sac - A minor local street having one end open to traffic and being permanently terminated by a vehicular turnaround.

Section 2.7 Driveway - A vehicular access way in private ownership, other than a Private Street, which provides access to primarily only one property, or no more than two single-family detached residences.

Section 2.8 Easement - Recorded authorization for a specified purpose by a property owner for the use of any designated part of the real property by another entity.

Section 2.9 Health Department - The Fulton County Health Department.

Section 2.10 Interstate – A high capacity public street from which access to abutting property is prohibited and as defined and/or designated in the Zoning Ordinance or Comprehensive Plan of the City.

Section 2.11 Lot - A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the public right-of-way may be included.

Section 2.12 Lot, Corner - A lot abutting two streets at their intersection.

Section 2.13 Lot, Through - A lot, other than a corner lot, abutting upon two or more streets.

Section 2.14 Mean Sea Level - The average height of the sea for all stages of the tide. For purposes of these Regulations, the term is synonymous with National Geodetic Vertical Datum.

Section 2.15 Planning Commission - The Union City Planning Commission.

Section 2.16 Plat, Final - A final drawing of a subdivision showing completely and accurately all legal and boundary information and certifications required by these Regulations and conforming to the Georgia Plat Act.

Section 2.17 Plat, Preliminary - A drawing which shows the perimeter boundary, topography, lot layout arrangement, street layout, and other features of a proposed subdivision, as specified in these Regulations.

Section 2.18 Sketch Plan - A drawing which shows the overall concept of a proposed development, and which may include lots and streets in a subdivision or the general location of buildings and improvements for a multifamily or non-residential project, and which may be drawn to approximate dimensions in a freehand style.

Section 2.19 Street, Arterial - A street intended to carry traffic into an out of a city, also known as a major thoroughfare.

Section 2.20 Street, Collector - A street intended to carry traffic between local streets and arterial streets.

Section 2.21 Street, Local Nonresidential - A street intended primarily to provide local access to adjacent existing or planned development and not for through traffic.

Section 2.22 Street, Local Residential - A street intended primarily to provide local access to adjacent existing or planned residential development and not for through traffic.

Section 2.23 Street, Private - An access way, other than a driveway, similar to and having the same function as a public street, providing access to more than one property, but held in private ownership.

Section 2.24 Street, Public - A right-of-way dedicated to and accepted by the City of Union City, Georgia, for vehicular traffic or over which the City may hold a prescriptive easement for public access, and including designated and numbered U.S. and State Highways. For purposes of these Regulations, the term “public street” shall be limited to those which afford a direct means of vehicular access to abutting property, and exclude limited access highways which abut a property but from which direct access may not be allowed under any circumstances.

Section 2.25 Subdivider - Any person dividing or proposing to divide land so as to constitute a subdivision as herein defined.

Section 2.26 Subdivision - 1. (verb) Any division or redivision of a lot, tract or parcel, regardless of its existing or future use, into two or more lots, tracts or parcels. The term “subdivision” shall mean the act or process of dividing property. 2. (noun) Where

appropriate to the context, the term “subdivision” also may be used in reference to the aggregate of all lots held in common ownership at the time of division. The following properties; however, shall not, for the purpose of these regulations, be deemed subdivisions:

- (A) The combination or recombination of portions of previously platted lots of record, where the total number of lots is not increased and the resultant lots or parcels are in compliance with the Zoning Ordinance.
- (B) Division of land into parcels having five (5) or more acres where no new street or roadway is involved.
- (C) Division of land into two (2) or fewer lots, provided:
 - (1) Each lot abuts an existing public street.
 - (2) No alteration of existing utility installations is involved.
 - (3) That the Planning Commission is notified of such division of land through a plat and executes a formal release of the property for recording and development purposes.

Section 2.27 Zoning Ordinance - The Zoning Ordinance for Union City, Georgia.

ARTICLE III - APPLICATION OF THE REGULATIONS

Section 3.1 Submission of Plats

Any person proposing to subdivide land within the City shall submit to the Planning Commission plats of the proposed subdivision which shall conform to all the requirements set forth in these regulations.

Section 3.2 Construction Work

No subdivider shall proceed with any construction work on a proposed subdivision before obtaining Preliminary Plat Approval from the Planning Commission, as certified thereon.

Section 3.3 Sale of Lots

No subdivider shall sell or negotiate to sell any lot in a proposed subdivision by reference to or exhibition of or by any other use of a plat of such subdivision, until such plat has been given final approval by the City, as certified thereon, and recorded in the Office of the Clerk of the Superior Court of Fulton County. (Ordinance 2003-04, 3/18/03)

Section 3.4 Dedication of Public Streets

No land dedicated as a public street or other public purpose shall be accepted, opened or improved, nor shall any utilities or other facilities be installed therein, unless such street or other public land shall have been accepted or opened as, or otherwise shall have received the legal status of, a public street or public land prior to the adoption of these regulations, or unless such street or land corresponds in its location and lies with a street or public area shown on a plat approved by the City or on a plat made and adopted by the City. Said final approval shall be expressed in writing on the final plat. Subdivider shall record said final plat with Clerk of Superior Court of Fulton County and provide the City with a copy of the recorded plat prior to the issuance of any permits. (Ordinance 2003-04, 3/18/03)

Section 3.5 Issuance of Building Permits

No building permit shall be issued for and no building or other structure shall be erected on any lot within the City, unless such lot has access to a street which shall have been accepted or opened as, or otherwise shall have received the legal status of, a public street, or which corresponds in its location and lines with a street shown on a plat approved by the City Engineer; provided, however, that private streets and other private access ways may be approved under the terms of these rules and regulations in community unit plans, group development plans, condominium projects, apartment projects, town houses, commercial developments, shopping centers or other developments. (Ordinance 2003-04, 3/18/03)

ARTICLE IV – PROCEDURE

Section 4.1 Pre-Application Review

Whenever any subdivision of a tract of land is proposed to be made, the subdivider or his agent is urged to consult informally with the City concerning existing conditions within the site and in its vicinity. The subdivider may submit sketch plans and data which shall convey his intentions as to the proposed layout and type of development.

Section 4.2 Preliminary Plat Requirement

Whenever any subdivision of a tract of land is proposed to be made, the subdivider shall first submit to the Planning Commission a preliminary plat consistent with Article 7 along with the appropriate filing fee.

Section 4.3 Preliminary Plat Approval Process

4.3.1 The Preliminary Plat shall be submitted to the Planning Commission for verification of compliance with these regulations and with other relevant regulations. The Planning Commission shall indicate on the plat, or by a written memorandum attached thereto, comments and any suggested changes that are necessary to meet the intent of these regulations or to serve the best interests of the City.

Not more than thirty-six (36) days after the submission of an application for Preliminary Plat to the Planning Commission, the Planning Commission shall:

- (A) Issue a Certificate of Preliminary Plat Approval; or
- (B) Issue a Certificate of Conditional Preliminary Plat Approval, subject to any necessary modifications the nature of which shall be indicated on the Preliminary Plat or attached to it in writing; or
- (C) Disapprove the Preliminary Plat or any portion thereof in which case the Planning Commission shall so notify the subdivider in writing, stating the reasons therefor.

4.3.2 Action of the Planning Commission shall be noted on two (2) copies of the Preliminary Plat. One copy shall be returned to the applicant, and the other made a part of the Planning Commission's Records.

4.3.3 Failure of the Planning Commission to take action on the Preliminary Plat within thirty-six (36) days shall be deemed approval of the plat, and Certificate of Preliminary Plat Approval shall be issued to the subdivider at his request, provided:

- (A) Said plat is submitted for preliminary approval not later than fifteen (15) days prior to the next regularly scheduled meeting of the Planning Commission.

- (B) The subdivider does not agree upon an extension of time, if requested in writing by the Planning Commission to further study the Preliminary Plat.

4.3.4 Approval of Preliminary Plats shall be governed by the following qualifications:

- (A) Approval of the Preliminary Plat shall be effective and binding upon the Planning Commission for a period not to exceed one (1) year, and thereafter expire and be null and void except to the extent that work on the subdivision has progressed, unless a request for an extension of time has been submitted to and is subsequently approved by the Planning Commission.
- (B) No improvements, including clearing or grading shall be undertaken until final engineering plans based on runoff calculations and three-line profiles for the subdivision (or unit division thereof) have been submitted to and approved by the City Engineer.

4.4 Improvements Authorized

Approval of the Preliminary Plat and the final engineering plans shall be obtained prior to the commencement of installation of any improvements required in Article 5, subject to the approval of agencies having proper authority, and the preparation of the Final Plat or unit division thereof as specified in Article 7. Provided, however, no installation of improvements will be made, and no work shall be commenced, in connection with said Preliminary Plat, or unit division thereof, until:

- (A) A contractor's performance bond shall have been filed by the subdivider in the office of the City Clerk, which performance bond shall:
 - (1) Be conditioned upon the faithful performance by the subdivider or developer of all work required to complete all improvements and installation for the subdivision, or unit division thereof, in compliance with these rules and regulations within a specified time.
 - (2) Be payable to, and for the indemnification of the City.
 - (3) Be with surety by a company entered and licensed to do business in the State of Georgia.
 - (4) Contain a provision for the maintenance of installations and improvements required by these rules and regulations in the subdivision for a period of one (1) year following the date of final acceptance of streets by the City Council, and
 - (5) Be approved by the City Engineer or the City Attorney.
- (B) The Mayor and Council, after review by the City Attorney and City Engineer, may accept in lieu of a performance bond and maintenance bond as set forth in Section 4.4.A, a letter of credit issued from a bank located within the

metropolitan Atlanta area and licensed to do such business in the State of Georgia; such bank being subject to the approval of the Mayor and Council of Union City. Said letter of credit shall be made payable to the City of Union City and shall provide for the full amount of all work required and to performed. Said letter of credit shall be made payable to the City of Union City and shall provide for the following minimum amount for maintenance:

- (1) 25% of the total amount of cost of any base and paving.
- (2) 10% of the total amount of cost of any sewer improvements.
- (3) 10% of the total amount of cost of any water improvements.
- (4) 10% of the total amount of cost of any curb and gutter improvements.

Section 4.5 Final Plat Requirement

While the Certificate of Preliminary Plat Approval is in effect, the subdivider may submit to the City an application for review and approval of the Final Plat which shall consist of:

- (A) The Final Plat and other documents as specified in Article 7.
- (B) Filing fees as specified in Article VIII.

(Ordinance 2003-04, 3/18/03)

Section 4.6 Final Plat Approval Process

- 4.6.1 The City Engineer, Public Services Department and Planning Department shall review the Final Plat for compliance with the provisions of Article 7, the Development Regulations and the Soil Erosion and Sediment Control Ordinance.
- 4.6.2 After the submission of the Final Plat, the City Engineer, Public Services Department and Planning Department shall express its approval, or if disapproval, shall state in writing its disapproval and its reasons therefore.
- 4.6.3 Final approval shall not be shown on the Final Plat until all requirements of these rules and regulations have been met, and the City Engineer has certified by endorsement on the Plat that:
 - (A) All improvements and installations to the subdivision required for its approval under the terms of these rules and regulations have been completed in accordance with the appropriate specifications; or
 - (B) A performance bond, or cash deposit or escrow account has been provided by the subdivider or developer to satisfy the requirements of Article 4.4.A.

- 4.6.4 Once approved by the City Engineer, the Final Plat and other supplementary material required the Final Plat shall be recorded in the office of the Clerk of Superior Court of Fulton County.
- 4.6.5 Upon recording of the approved Final Plat, a reproducible print of the original tracing and other permanent materials, with all certificates endorsed, shall be provided by the subdivider and shall be returned to the City for is files.
- 4.6.6 Upon completion of the installation of the improvements required by these rules and regulations, the subdivider shall present to the City Engineer one complete set of the construction plans and drawings showing the subdivision and its improvements. This set of plans and drawings shall include.
- (A) “As-built” plans of all streets and alleys showing the planned and actual location of all utility lines.
 - (B) As-built, center-line profiles of all streets.
 - (C) Profiles and invert elevations of all storm and sanitary sewer lines as such improvements shall have actually been installed by the subdivider.
 - (D) A letter submitted by a registered professional engineer and/or registered surveyor certifying that all sewers, storm drains, curbing and paving, have been placed according to grade stakes set by him or his representatives to conform with construction plans submitted to and approved by the City Engineer.

(Ordinance 2003-04, 3/18/03)

ARTICLE V - STREET STANDARDS

Section 5.1 Right-of-way and Pavement Widths

5.1.1 Minimum widths for construction (new streets or widening sections) shall be as given in the following Table 5-A.

TABLE 5-A

Street Category	Minimum Right-of-Way	Minimum Roadway¹
Arterial		
Primary ²	100 feet	66 feet
Secondary	80 feet	52 feet
Collector		
Primary	80 feet	52 feet
Secondary	60 feet	36 feet
Local		
Non Residential ³	60 feet	36 feet
Non Residential Cul-de-sac	75 foot radius	60 foot radius
Residential	50 feet	28 feet
Residential Cul-de-sac	60 foot radius	50 foot radius

¹ Roadway width dimensions are back of curb to back of curb.

² Refer to Specification Development Regulations for Major Thoroughfares with medians

³ Refer to Specification in Development Regulations for Collector “B” Street

Section 5.2 Street Design

5.2.1 Access

A maximum number of 200 residential units shall be allowed per street outlet to a public street. Reserve strips controlling access to public streets shall not be permitted.

5.2.2 Street Jogs

Street jogs with centerline offsets of less than 125 feet shall not be permitted.

5.2.3 Street Gradients

(A) The minimum street gradient shall be one percent without special approval from the City Engineer. A minimum street gradient of one half percent to one percent may be approved by the City Engineer, based on adequate engineering designs provided by the subdivider's engineer, where at least one percent cannot reasonably be achieved due to topographical limitations imposed by the land.

(B) The maximum street gradient for primary arterial streets shall be eight percent. The maximum street gradient for secondary arterial, primary and secondary collector and nonresidential local streets shall be ten percent. The maximum street gradient for residential local streets shall be 14 percent. Grades between 12 percent and 14 percent shall not exceed a length of 150 feet measured as the tangent length between points of vertical curvature.

(C) The maximum gradient on any cul-de-sac shall be eight percent.

5.2.4 Vertical Street Alignment

(A) All changes in street profile grades having an algebraic difference greater than one percent shall be connected by a parabolic curve having a minimum length (L) equal to the product of the algebraic difference between the grades in percent (A) and the design constant (K) assigned to the street according to its category (i.e., $L = A * K$).

(B) Constant (K) values are shown in the following Table 5-B for both desirable and minimum acceptable conditions. In all cases, the desirable value shall be used, unless it cannot be achieved due to topographical conditions beyond the subdivider's control. In such conditions, the City Engineer may approve a lesser value to the extent required by the unique situation, but in no event less than the minimum value shown in Table 5-B.

TABLE 5-B

Street Category	Crest Curves		Sag Curves	
	Minimum	Desirable	Minimum	Desirable
Arterial				
Primary	110	160	90	110
Secondary	90	120	70	90
Collector				
Primary	60	80	60	70
Secondary	60	80	60	70
Local				
Non Residential	30	30	40	40
Non Residential Cul-de-sac	20	30	30	30
Residential	20	20	30	30
Residential Cul-de-sac	20	20	30	30

5.2.5 Horizontal Street Alignment

(A) All new streets shall conform with the horizontal centerline curvature and superelevation criteria shown in the following Table 5-C.

TABLE 5-C

Street Category	Minimum Centerline Radius (ft)	Minimum Superelevation (ft/ft)
Arterial		
Primary	1,146	0.06
Secondary	955	0.06
Collector		
Primary	600	0.00
Secondary	415	0.00
Local		
Non Residential	275	0.00
Non Residential Cul-de-sac	165	0.00
Residential	165	0.00
Residential Cul-de-sac	165	0.00

- (B) Superelevation runoff shall be provided on each end of horizontal curves to rotate pavement section from normal crown section to full superelevation section and to rotate pavement section from full superelevation section to normal crown section in accordance with design standards of the Georgia Department of Transportation.
- (C) Tangents between reverse horizontal curves shall not be less than those shown in the following Table 5-D.

TABLE 5-D

Street Category	Minimum Tangent Length (ft)
Arterial	
Primary	200
Secondary	150
Collector	
Primary	120
Secondary	120
Local	
Non Residential	100
Non Residential Cul-de-sac	75
Residential	75
Residential Cul-de-sac	50

5.2.6 Street Intersections

- (A) Intersecting streets shall meet at approximately a right angles and shall not be at an angle of less than 80 degrees unless approved by the City Engineer.
- (B) For all but local streets, street intersections, including approaches, shall have a maximum vertical grade of two percent. For local streets, street intersections, including approaches, shall have a maximum vertical grade of five percent. The minimum approach length (distance from extended outer edge of the nearest through lane of the intersecting street to the point of vertical curvature in the approaching street) shall be provided in accordance with the following Table 5-E.

TABLE 5-E

Street Category	Minimum Approach Length (ft)
Arterial	
Primary	100
Secondary	100
Collector	
Primary	75
Secondary	50
Local	
Non Residential	25
Non Residential Cul-de-sac	25
Residential	25*
Residential Cul-de-sac	25*

* For intersections of local residential streets, the minimum approach length is zero unless the approaching street grade is five percent or more, in which case the indicated minimums apply.

- (C) Intersection radii for streets, measured at the back of the curb, and for rights-of-way shall be as shown in the following Table 5-F. For intersecting streets of different classifications, the larger radii shall be provided. In all cases, sufficient right-of-way shall be provided to maintain at least ten feet from the back of curb. For intersecting rights-of-way, lines may be joined by either an arc having the minimum radius shown in Table 5-F or by a chord connecting the end points of an arc having the minimum radius shown in Table 5-F. Larger radii may be required for streets intersecting at angles less than 90 degrees.

TABLE 5-F

Street Category	Minimum Back of Curb Radius (ft)	Minimum Right-of-Way Radius (ft)
Arterial		
Primary	40	23
Secondary	35	21
Collector		
Primary	30	21
Secondary	30	11
Local		
Non Residential	30	18
Non Residential Cul-de-sac	25	14
Residential	25	14
Residential Cul-de-sac	25	14

5.2.7 Islands:

In general use of raised traffic islands is discouraged in favor of painted islands supplemented with traffic buttons or other devices manufactured for traffic control. Where requested by the City Engineer, traffic islands shall conform to the design guidance of the latest edition of “A Policy on Geometric Design of Highways and Streets”, published by the American Association of Highway and Transportation Officials. Improvements on islands within rights-of-way shall be limited to traffic control devices.

5.2.8 Turning Lanes:

Turning lanes shall be required by the City to meet projected traffic demand and/or safe operations. When provided, turning lanes shall meet the following criteria:

- (A) Provide not less than 150 feet of storage length for arterial roadways. Provide not less than 100 feet of storage length for collector roadways.
- (B) Provide taper lengths of not less than 50 feet.
- (C) Longer storage and taper lengths may be required when traffic projections indicate they are justified.

5.2.9 Cul-de-sac Streets:

Cul-de-sac streets shall be designed so that the maximum desirable length is 800 feet, but no longer than 1,200 feet, including circular turn around, unless excepted by the Planning Commission.

5.2.10 Temporary Cul-de-sac:

Where a subdivision contains a dead-end street other than a cul-de-sac, the subdivider shall be required to provide a temporary vehicular turn-around within the right-of-way for effective traffic circulation. (Ordinance 2000-7, 5/16/00)

5.2.11 Permanent Cul-de-sac:

When a subdivision indicates proposed phasing, the subdivider shall be required to provide right-of-way for a permanent cul-de-sac at the end of each proposed phase. In order to guarantee that the cul-de-sac will be installed, the subdivider shall provide the City with a performance bond in the amount of construction of the cul-de-sac as approved by the City Engineer to be dated on the date of Final Plat approval. At any time that the City determines that subsequent phases will not be completed, the City may draw on the bond in order to construct the permanent cul-de-sac. The bond shall automatically expire two (2) years from the signing or until released by the City at the time the cul-de-sac is completed. (Ordinance 2000-7, 5/16/00)

ARTICLE VI - LOT AND BLOCK STANDARDS

Section 6.1 Lots

Lots should be designed generally such that they are no more than four times as deep as they are wide at the building set back line. For lots which include 1) particular or unusual difficulties to meet minimum setback limits, 2) unusual building sites due to easement configuration, 3) possible floodplain encroachment, 4) stormwater detention facilities, 5) zoning imposed buffers, and/or 6) unusual or severe topographic features, the City may require a final plat notation requiring an approved Site Plan prior to issuance of a building permit. All lots shall conform to the requirements of the City's Zoning Ordinance.

Section 6.2 Side Lot Lines

Side lot lines should generally be at right angles or radial to street rights-of-way. In cul-de-sacs side lot lines should be radial to the center point of the cul-de-sac. When a more efficient use of the land relative to topographic conditions or improved building sites can be achieved by a reasonable lot pattern which does not fully adhere to the desirable side lot line configuration defined in this paragraph, the Planning Commission will allow the alternate lot pattern unless specific objections are noted.

Section 6.3 Corner Lots

Corner lots shall have extra width to permit prescribed set-back limits from all streets on which the lot has frontage.

Section 6.4 Subdivision Access

No lots within a subdivision may access arterial or primary collector streets. All access must be from within the subdivision.

To properly separate residential subdivisions from arterials or primary collectors, a minimum ten foot planted buffer shall be required along the residential subdivision lot line abutting the arterial or primary collector.

Section 6.5 Blocks

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

- (A) Provision of adequate building sites suitable to the special needs of the type of use contemplated.
- (B) Applicable zoning requirements as to lot size and dimensions.
- (C) Needs for convenient access, circulation, control and safety of vehicular and pedestrian traffic.

(D) Limitations and opportunities of topography.

The Planning Commission may, when existing or proposed pedestrian/bicycle circulation patterns or public gathering places so justify, require pedestrian/bicycle ways or access easements through blocks.

ARTICLE VII - PLAT SPECIFICATIONS

Section 7.1 Preliminary Plat Specifications

- 7.1.1. The submittal to the Planning Commission shall consist of one original and ten (10) copies black or blue line prints on a white background
- 7.1.2 The Preliminary Plat for a subdivision shall be clearly and legibly drawn at a scale of not less than 100 feet to one inch. The sheet size shall not exceed 48 inches by 36 inches, provided, however, a scale of 200 feet to one inch may be used to avoid sheets in excess of 48 inches by 36 inches. The minimum sheet size shall be 8½ inches by 11 inches. The City Engineer may approve other scales and sheet sizes as deemed appropriate.
- 7.1.3 The proposed name of the subdivision and proposed street names shall not duplicate or too closely approximate, phonetically, the name of any other subdivision or street in South Fulton County. If shown to the contrary, the Planning Commission may refuse to accept such subdivision and street names. The subdivision may use letter designations in place of street names on the Preliminary Plat.
- 7.1.4 The Preliminary Plat shall contain the following:
- (A) Proposed name of the subdivision
 - (B) Names, addresses and telephone numbers of the property owner of record and the developer or subdivider
 - (C) Name, address and telephone number each professional firm associated with a Preliminary Plat
 - (D) Date of survey, north point and graphic scale
 - (E) Subdivision location including land lot(s) and land district(s), area in acres, internal and abutting zoning, and proposed phasing, if any
 - (F) A location sketch or vicinity map positioning the subdivision in relation to the surrounding area with regard to recognized permanent landmarks. The location sketch scale shall be not greater than 2,000 feet to the inch
 - (G) Boundary lines of the overall property perimeter showing bearings in degrees, minutes and seconds and distances in feet and hundredths of a foot along all lines and the bearing and distances to an existing street intersection or other recognized permanent landmark. The source of boundary information shall be shown
 - (H) Topography with mean sea level contours at intervals no greater than five feet. The source of topographic information shall be shown

- (I) Natural features such as lakes, ponds, streams, creeks, State waters, wetlands, 100 year flood plains and other significant features. The source of flood plain information shall be shown
- (J) Cultural features such as rights-of-way, easements, pavements (including widths), bridges, culverts and storm drains, utility lines, appurtenances and structures, City and County jurisdictional limits, land lot and district lines, zoning districts and limits and other significant features
- (K) Proposed layout including lot lines with preliminary dimensions, lot numbers, block letters, street rights-of-way with names and widths, easements, public use facilities, facilities exclusively for subdivision use and all relevant conditions of zoning
- (L) Location and results of percolation tests for lots which will not be served by a public or community sanitary sewage system, as required by the Health Department.
- (M) Location of all known existing or previous landfills
- (N) Proposed method of sewage disposal
- (O) Preliminary Plat Certifications as specified in Section 7.5.

Section 7.2 Preliminary Plat Supplemental Information

In addition to the Preliminary Plat, the following information shall be provided to the Planning Commission with each Preliminary Plat submittal:

- (A) A written summary of the proposed subdivision giving information as to the overall development plan including, as appropriate, the types and square footage's of structures, number of housing units, types of land uses, anticipated traffic generation, and other pertinent information so that the effects of the subdivision can be considered by the Planning Commission
- (B) Description of the anticipated utility systems required to serve the proposed subdivision including projected average and peak demands or flows for potable water, fire protection, sewerage and electrical power
- (C) Description of proposed stormwater management practices for the subdivision including the ownership and proper maintenance provisions of all stormwater detention facilities within the subdivision
- (D) Such additional information as may be reasonably required to obtain an adequate understanding of the subdivision.

Section 7.3 Subdivision Development Plans

- 7.3.1 Subdivision development plans shall generally conform to the approved Preliminary Plat and may constitute only that portion of the Preliminary Plat which the developer or subdivider proposes to construct at one time as a single unit or phase, provided that such portion conforms to these regulations.
- 7.3.2 Subdivision Development Plans are to consist of not less than the following:
- (A) Erosion/Sediment Control Plan prepared in accordance with the City's Soil Erosion and Sediment Control Ordinance
 - (B) Grading and Drainage Plans prepared in accordance with the City's Development Regulations
 - (C) Street Improvement Plans prepared in accordance with the City's Development Regulations
 - (D) Utility Plans prepared in accordance with the City's Development Regulations
 - (E) Tree Protection Plan prepared in accordance with the City's Tree Protection Ordinance
- 7.3.3 Encroachments:
- Where construction is proposed on adjacent property, an encroachment agreement or easement shall be submitted to the City.

Section 7.4 Final Plat Specifications

- 7.4.1 The submittal to the City shall consist of one original, two (2) copies black or blue line prints on a white background and one in electronic format compatible with ArcView or AutoCAD (.dwg or .dxf files). (Ordinance 2000-7, 5/16/00) and (Ordinance 2003-04, 3/18/03)
- 7.4.2 The Final Plat shall be clearly and legibly drawn in black ink on suitable permanent reproducible material. The scale of the Final Plat shall be 100 feet to one inch or larger. Sheet size shall not exceed 24 inches by 34 inches. The minimum sheet size shall be 8½ inches by 11 inches.
- 7.4.3 The Final Plat shall be based on a certified boundary survey delimiting the entirety of the property contained within the Final Plat, and tied to a point of reference with the same degree of accuracy as the boundary itself. The survey shall have an accuracy of no less than 1 in 10,000, and shall meet all requirements of Georgia Law regarding the recording of maps and plats.

7.4.4 The Final Plat shall substantially conform to the approved Preliminary Plat and it may constitute only a portion of the approved Preliminary Plat which the subdivider proposes to record at any one time, provided that such portion conforms to the requirements of these regulations, and said portion is not inconsistent with the public health, safety, or welfare. Any substantial deviation from the approved Preliminary Plat shall require revision and reapproval of the Preliminary Plat.

7.4.5 The Final Plat shall contain the following:

- (A) Name of the subdivision and unit or phase number, if any
- (B) Names, addresses and telephone numbers of the property owner of record and the developer or subdivider
- (C) Name, address and telephone number each professional firm associated with the portion of the subdivision depicted on the Final Plat
- (D) Date of plat and survey, north point and graphic scale
- (E) Subdivision location including land lot(s) and land district(s), area in acres, internal and abutting zoning, proposed number of lots
- (F) A location sketch or vicinity map positioning the subdivision in relation to the surrounding area with regard to recognized permanent landmarks. The location sketch scale shall be not greater than 2,000 feet to the inch
- (G) Boundary lines of the subdivision property perimeter showing bearings in degrees, minutes and seconds and distances in feet and hundredths of a foot along all lines and the bearing and distances to an existing street intersection or other recognized permanent landmark. The boundary information shall be tied and related to the State Plane Coordinates System, 1983 North American Datum, Georgia, West zone
- (H) Municipal or county jurisdictional lines tied to the lines of the subdivision by distance and angles when such lines traverse or adjoin the subdivision; land lot or land district lines traversing or adjoining the subdivision shall also be indicated
- (I) Locations, widths and names of all streets within and immediately adjoining the plat and all other public or utilities easements or rights-of-way
- (J) Street centerlines showing angles of deflection and standard curve data including radii, chord lengths and bearings, lengths of arcs and tangents, and points of curvature and tangency
- (K) Lot lines with complete dimensions to the nearest one-hundredth of a foot and bearings to the nearest second, and radii, arc and chord lengths, and chord bearings of rounded corners

- (L) Building setback lines with dimensions. When lots are located on a curve or when side lot lines are at angles other than ninety degrees, the lot width at the building line shall be shown
- (M) Lots numbered with addresses in numerical order and blocks lettered alphabetically (Ordinance 2003-04, 3/18/03)
- (N) Location, material and size of all drainage pipes, location and type of all drainage system appurtenances such as catchbasins, headwalls and inlets, location and extent of detention ponds with 100 year event level noted, the location, material and size of all City water mains, the location of all fire hydrants, and the location, width and purpose of any easements, including slope easements
- (O) Location of any areas to be reserved, donated, or dedicated to public use with notes stating their purpose and limitations. Location of any areas to be reserved by private deed covenant for common use of all property owners, or dedicated to a homeowner's association.

“This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby become a part of this plat, and which were recorded on _____.”

- (P) A statement of private covenants, if any, and if they are brief enough to be put directly on the plat; otherwise, a statement as follows:

“This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby become a part of this plat, and which were recorded on _____.”

- (Q) Accurate location, material and description of property corner or line monuments or markers. All monuments and markers shall be in place prior to approval of the Final Plat.
- (R) Extent of the 100-year floodplain within the subdivision. When floodplain is present, a chart giving the areas within and outside of the floodplain for each lot containing any portion of the floodplain shall be on the Final Plat. The origin of the floodplain data shall be indicated.
- (S) Individual lots which are deemed by the City Engineer as requiring site plans shall be designated in a readily identifiable manner.
- (T) Certificates and statements specified in these Regulations.

Section 7.5 Plat Certifications

7.5.1 The Preliminary Plat shall contain the following statements;

(A) Preliminary Plat Certification to read as follows;

I hereby submit this Preliminary Plat as authorized agent/owner of all property shown thereon, and certify that all contiguous property under my ownership or control is included within the boundaries of this Preliminary Plat, as required by the Subdivision Regulations. (Ordinance 2000-7, 5/16/00)

Signature of Authorized Agent/Owner

Date

(B) Preliminary Plat Approval Statement to read as follows;

This Preliminary Plat has been reviewed and approved for general compliance with the Subdivision Regulations of the City of Union City, Georgia.

Chairman, Planning Commission

Date

7.5.2 The Final Plat shall contain the following statements;

(A) Surveyor's Certification to read as follows;

It is hereby certified that this plat is true and correct as to the property lines and all improvements shown thereon, and was prepared from an actual survey of the property made by me or under my supervision; that all monuments and markers shown thereon actually exist, and their location, size, type and material are correctly shown. The field data upon which this plat is based has a closure precision of one foot in _____ feet and an angular error of _____ per angle point, and was adjusted using _____ rule. This plat has been calculated for closure and is found to be accurate within one foot in _____ feet, and contains a total of _____ acres. The equipment used to obtain the linear and angular measurements herein was

BY _____ Registered Georgia
Land Surveyor No. _____
Date _____

(B) Owners Acknowledgement and Declaration to read as follows;

(STATE OF GEORGIA)

(FULTON COUNTY)

The owner of the land shown on this plat and whose name is subscribed thereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey, and dedicates by this Declaration to the use of the public forever all streets, street rights-of-way, sanitary sewers and appurtenances, sanitary sewer easements, potable water mains and appurtenances, potable water easements, storm drains and appurtenances within street rights-of-way, and other public facilities and appurtenances thereon shown for the purposes therein expressed.

Owner Date

ARTICLE VIII
SCHEDULE OF FEES

The schedule of fees for development plan review, copies of these Regulations, appeals, waivers, reinspections, and other items are on file with the City Clerk and may be altered or amended from time-to-time by the City Council to help defray the costs of the administration of these Regulations.

Subdivision plat review fees, if any, shall be paid at the time plats are submitted for review. A plat review fee shall be paid each and every time plats or parts thereof are submitted or resubmitted.

Preliminary Plat: \$150 plus \$5 per lot for initial submittal and \$150 due with each re-submittal

Final Plat: \$200 plus \$2.50 per lot for initial submittal and \$200 due with each re-submittal

Approved by Council June 15, 1999

Amended by Council March 18, 2003

ARTICLE IX

ADMINISTRATION, ENFORCEMENT, APPEAL, AND VIOLATIONS

Section 9.1 Administration and Enforcement

These Subdivision Regulations shall be administered, interpreted, and enforced by the Zoning Administrator or the Administrator's designated representative.

In any case in which activities are undertaken in violation of these Regulations, not in compliance with the provisions of a permit issued by the City, or without authorization of a permit which would otherwise be required, the City Administrator is hereby authorized to order that all unauthorized or improper work be stopped, direct correction of deficiencies, or take any other legal or administrative action appropriate to the severity of the violation and degree of threat to the public health, safety and welfare.

It shall be the duty and responsibility of the City Administrator to maintain an accurate and up-to-date compilation of these Subdivision Regulations, including Appendices, and all amendments, and to publish said compilation and make it available to the public for a fee set by the City Council.

Section 9.2 Appeal and Waiver of the Regulations

It is the intention of this Ordinance that all questions arising in connection with the interpretation and enforcement of these Regulations first be presented to the City Administrator and that such questions shall be presented to the Mayor and Council only on appeal from the decision of the City Administrator.

Requests of waivers of the requirements of these Regulations shall be submitted in a form as prescribed by the City Administrator along with such fee as shall be established by the Mayor and Council. The City Administrator shall coordinate the review of each waiver request by all other affected City departments and shall summarize such comments and/or recommendations as may be received to the Mayor and Council for final action in their normal course of business.

Section 9.3 Violation and Penalty

Any person, firm or corporation violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction, shall be fined as determined by the Judge of the Municipal Court for the City of Union City for each offense. Each day such violation continues shall constitute a separate offense. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

ARTICLE X

APPEALS PROCEDURE

Section 10.1 Appeals, Hearings, and Notice

- 10.1.1 Appeals to the Mayor and Council may be taken by any person aggrieved or by any officer, department, board or bureau of the City. Such appeal shall be taken within a reasonable time, as provided by the rules of the Mayor and Council by filing with the officer from whom the appeal is taken notice of said appeal and specifying the grounds thereof. The City Administrator shall forthwith transmit to the Mayor and Council all papers constituting the record upon which the action appealed from was taken.
- 10.1.2 An appeal stays all legal proceeding in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Mayor and Council, that by reason of facts stated in the certificate a stay would, in the officer's opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by a court of competent jurisdiction.
- 10.1.3 The Mayor and Council shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing any party may appear in person or by agent or by attorney.

Section 10.2 Powers and Duties

The Mayor and Council shall have the following powers and duties with respect to hearings and appeals:

- 10.2.1 To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the City Administrator in the enforcement of this Ordinance.
- 10.2.2 To authorize, upon appeal, in specific cases a variance from the terms of this Ordinance as will not be contrary to the public interest, where, vowing to special conditions, a literal enforcement of the provisions of the Ordinance will in an individual case, result in unnecessary hardship, so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of unnecessary hardship upon a finding by the Mayor and Council that:
- (A) there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;
 - (B) the application of the Ordinance to this particular piece of property would create an unnecessary hardship;

(C) such conditions are peculiar to the particular piece of property involved; and

(D) relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this Ordinance, provided, however, that no variance may be granted for a use of land or building or structure that is prohibited in a given district by the Zoning Ordinance.

10.2.3 To decide on other matters where a decision of the Mayor and Council may be specifically required by the provisions of this Ordinance. In exercising these powers, the Mayor and Council may be reversed or affirm, wholly or in part, or may modify the order, requirements, decision, or determination, and to that end shall have all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit. The Mayor and Council, in the execution of the duties for which appointed, may subpoena witnesses and in case of contempt may certify such fact to the Superior Court.

Section 10.3 Certiorari from Decisions

Any person aggrieved by any decision of the Mayor and Council shall have the right of certiorari to the Superior Court within thirty (30) days after the decision of the Mayor and Council is rendered.

ARTICLE XI
AMENDMENTS

Section 11.1 Authority

This Ordinance, including Appendices, may be amended from time to time by the Mayor and Council as herein specified. For information, each member of the Planning Commission will be provided with a copy of each amendment.

Section 11.2 Requirements for Change

When the public necessity, convenience, general welfare, or good development practice justify such action, and after the required review and report by the Mayor and Council may undertake the necessary steps to amend the Subdivision Regulations.

Section 11.3 Procedure for Amendments

Request to amend the Subdivision Regulations shall be processed in accordance with the following requirements:

- (A) Initiation of amendments: A proposed amendment to the Subdivision Regulations may be initiated by the Mayor and Council, the Planning Commission, the City Administrator or by application filed with the City Administrator by a developer or citizen.
- (B) Application Procedure. Each request for amendment of the Subdivision Regulations shall be submitted in a form as prescribed by the City Administrator along with such fee as shall be established by the Mayor and Council. Applications for amendments must be submitted in proper form at least 25 days prior to the meeting of the Mayor and Council.

ARTICLE XII
LEGAL STATUS PROVISIONS

Section 12.1 Conflict With Other Regulations

Whenever the regulations of this Ordinance require or impose more restrictive standards than are required in or under any other statutes, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by this Ordinance, the provisions of such statute shall govern.

Section 12.2 Severability

Should any section, subsection, sentence, clause, phrase or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 12.3 Effective Date

These Regulations shall be in full force and effective on April 20, 1999, following adoption by the City Council and shall apply to any subdivision for which the first submittal of a Preliminary Plat is received after the effective date of these Regulations.

AMENDMENTS

Section 5.2.10, Ordinance 2000-7, 5/16/00
Section 5.2.11, Ordinance 2000-7, 5/16/00
Section 7.4.1, Ordinance 2000-7, 5/16/00
Section 7.5.1, Ordinance 2000-7, 5/16/00
Section 3.3, Ordinance 2003-04, 3/18/03
Section 3.4, Ordinance 2003-04, 3/18/03
Section 3.5, Ordinance 2003-04, 3/18/03
Section 4.5, Ordinance 2003-04, 3/18/03
Section 4.6, Ordinance 2003-04, 3/18/03
Section 7.4.1, Ordinance 2003-04, 3/18/03
Section 7.4.5 (M), Ordinance 2003-04, 3/18/03
Section 7.5.2 (D), Ordinance 2003-04, 3/18/03
Article VIII, Ordinance 2003-04, 3/18/03