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# ARTICLE I

## GENERAL PROVISIONS

### SECTION A. SHORT TITLE

These Subdivision Regulations shall be officially known as the "Land Subdivision Regulations of the City of Albany and Dougherty County, Georgia", but may also be cited or referred to as the "Albany Dougherty Subdivision Regulations."

### SECTION B. AUTHORITY, PURPOSE AND JURISDICTION

- a. This Ordinance is adopted pursuant to the authority delegated to the Board of City Commissioners of the City of Albany and Board of Commissioners of Dougherty County under "Article IX" of the Constitution of the State of Georgia, 1983 Counties and Municipalities", paragraph I-IV and the official code of Georgia Annotated 44-3-1 et seq, and other applicable laws, statutes, ordinances and regulations of the State of Georgia.
- b. The purpose of this ordinance is to promote good planning practice, to ensure orderly growth and development and to protect the public health, safety and general welfare, while allowing cost saving efficiencies. To adequately insure the interpretation of this ordinance, subdivision Design Engineer shall be a professional engineer registered to practice in the State of Georgia and competent in Civil Design and plats for recording shall be prepared by a professional Land Surveyor registered in the State of Georgia. The Design Engineer will be the contact person with the City Engineer and County Public Works during the development process.
- c. The provisions in this ordinance shall be applicable in the incorporated area of the City of Albany and unincorporated Dougherty County. From and after the date of the adoption of this ordinance these regulations shall govern the subdivision of land within the jurisdiction.

Any owner of land within the limits of said subdivision jurisdiction wishing to subdivide land shall submit to the Planning Commission a plat of the subdivision which shall conform to the minimum requirements set forth in the Ordinance. No plat of a subdivision lying within such territory or part thereof shall be filed or recorded and no subdivider shall proceed with the improvement or sale of land until such approval is entered in writing on the plat by the Planning Commission.

### SECTION C. ADMINISTRATION, EXCEPTIONS AND INTERPRETATION

- a. It is the responsibility of the Planning Commission to administer the provisions of this ordinance by managing the subdivision application review process. In managing the subdivision review process the Planning Commission shall have the power to establish a fee schedule sufficient to recover costs incurred.
- b. The Planning Commission shall have the power to grant such exceptions from the requirements as may be reasonable and within the general purpose and intent of the provisions of this ordinance pertaining to subdivision review, if literal enforcement of one or more provisions of this ordinance is impracticable or will cause undue hardship because of

peculiar conditions pertaining to the land in question, provided the approved exceptions will not be in conflict with other applicable law, ordinance, resolution, rule or regulation.

- c. The Planning Commission shall have the power to provide interpretations concerning provisions of the ordinance which are unclear or in dispute. In rendering interpretations, the provisions of this ordinance shall be held to be minimum requirements unless it is demonstrated that more stringent standards are necessary to promote the public health, safety and welfare.

#### **SECTION D. ENFORCEMENT AND PENALTIES**

- a. It shall be the duty of the Director of the Albany Dougherty Planning Commission, City Engineer, and Dougherty County Director of Public Works to enforce these regulations and to bring to the attention of the City/County Attorney any violations or lack of compliance herewith.
- b. Violations of the provisions of this ordinance shall be deemed a misdemeanor, punishable as provided by law and each day such violations continue constituting a separate offense. Any person firm or other legal entity who fails to comply with, or violate any of these regulations shall be subject to a fine of not more than \$1,000.00 for each offense and in addition shall pay all costs and expenses involved in the case. Appropriate actions and proceedings may be taken by law or in equity to prevent any violations of these regulations, to prevent unlawful constructions, to recover damages, to restrain, correct or abate a violation, to prevent illegal occupancy of a building; structure or premises and these remedies shall be in addition to the penalties described above.

#### **SECTION E. CONFLICT AND SEPARABILITY**

- a. Where the conditions imposed by any provisions of this ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this ordinance or any other applicable law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern. The Construction Standards, which are published separately, shall govern the construction work.
- b. The provisions of this ordinance are separable. If a section, sentence, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the remaining portions of this ordinance.

#### **SECTION F. AMENDMENTS**

When necessary to further its purposes, this ordinance shall be amended by the City and/or County Commission after considering recommendation(s) made by the Planning Commission regarding approval or denial. Prior to acting on any proposed amendment, the Board of City Commissioners and Board of County Commissioners shall hold a public hearing on the amendment, having first published two (2) notices of the time and place of the hearing in a local newspaper at least fifteen (15) but not more than forty-five (45) calendar days prior to the date of the public hearing.

## **SECTION G. ACCEPTANCE OF DEDICATIONS TO CITY OR COUNTY**

Acceptance of formal offers of dedication of streets and rights-of-way, public areas, or easements shall be by ordinance of the Board of City Commissioners or the Board of Commissioners of Dougherty County as applicable. Approval by the Planning Commission and/or the Director of Public Works/City Engineering shall not be deemed to constitute, imply, or effect acceptance by the City or County of any street, right-of-way, public area, or easement shown on a Final Plat.

## **SECTION H. EFFECTIVE DATE**

This ordinance is effective on its adopted date of June 22, 1993.

## ARTICLE II

### DEFINITIONS

#### SECTION A. USAGE

For the purpose of these regulations, certain abbreviations, terms, and words used herein shall be used, interpreted, and defined as set forth in this Section.

Unless the context clearly indicates to the contrary, words used in the present tense shall include the future tense; words used in the singular number shall include the plural. The word "should" is directory and not mandatory. The word "shall" is mandatory and directory.

Words not defined herein shall be considered to have a definition consistent with generally accepted planning and engineering principles as determined by the Planning Staff and the City Engineer and the Dougherty County Director of Public Works.

#### SECTION B. WORDS AND TERMS DEFINED

Alley.	A dedicated travel way other than a street which affords only secondary means of access to abutting property.
Appeal.	The process by which an aggrieved party may petition for review of a decision made by an official or department of City or County government.
Applicant.	A developer submitting an application for development.
Approving Authority.	The Albany Dougherty Planning Commission.
As-Built Drawings.	Also known as "record drawings." A drawing that depicts to scale the finished condition and location of water, sewer, and storm drainage facilities.
Block.	A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, drainage-ways, or boundary lines of municipalities or counties.
Board of Zoning Appeals.	Quasi-judicial body appointed by the Albany City Commission and Dougherty County Commission that considers applications for zoning variances and hears appeals that result from decisions or interpretations made by the Building Inspector.
Board of City Commissioners.	The Mayor and members of the Board of City Commissioners of the City
Board of County Commissioners.	The Chairman and Members of the Dougherty County Board of Commissioners.

Buffer.	An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences, and/or berms, designed to limit continuously the view of and/or sound from the site to adjacent sites or properties.
Building.	A structure having a roof supported by columns or walls, for the housing or shelter of persons, animals, or goods. Where roofed structures on separate lots are separated from each other by party walls having no opening for passage, each portion so separated shall be considered a separate building.
Building Line (Setback).	A line established, in general, parallel to the front street line between which line and the front street (property) line no part of a building shall project, except as otherwise provided by these regulations. The minimum building line shall be minimum front yard setback established by the zoning ordinance.
Building Permit.	A written permit issued by the Building Inspector authorizing construction, renovation, or repairs to a structure or site work.
Capital Improvements Program.	A proposed schedule of all future Governmental projects duly approved in order of construction priority together with cost estimates and the anticipated means of financing each project.
City.	The City of Albany, Georgia.
City Engineer.	The Engineer employed by the City of Albany, or the duly authorized representative of the City Engineer.
Cluster Development.	A development approach in which building lots may be reduced in size and buildings sited closer together, usually in groups or clusters, provided that the total development density does not exceed that which could be constructed on the site under conventional zoning and subdivision regulations. The land that remains undeveloped is then preserved as open space. (See Illustration 1)
Common Open Space.	Land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development and maintained by a homeowners association. It may include complementary structures and improvements.
Comprehensive Development Plan.	A comprehensive long-range plan intended to guide the growth and development of the City of Albany and Dougherty County. It includes analysis, recommendations, and proposals for the community's population, economy, housing, transportation, community facilities, and land use.
Concept Plan.	A preliminary presentation and accompanying documentation of a proposed subdivision of sufficient accuracy to be used for the purpose of discussion and classification. (See Illustration 2)

<i>Construction Plans.</i>	Those maps, drawings, and documents accompanying a subdivision plat which are used to guide construction and to depict the specific location of and provide the computations and specifications for the design of the improvements to be installed in the subdivision in accordance with the requirements and standards of these Regulations.
Conventional Development.	Development other than cluster development or planned unit development. (See Illustration 1)
County.	Dougherty County, Georgia.
Dedication.	The act of granting a right of property to the public, at no cost to local government, often through the form of an easement or right-of-way.
Design Standards.	Standards that set forth specific improvement requirements.
Detention Basin.	A man-made or natural water collector facility designed to collect surface and sub-surface water in order to impede its flow and to release the same gradually at a controlled rate into natural or man-made outlets.
Developer.	The legal or beneficial owner(s) of a tract or of any land included in a proposed development. Also, the holder of an option or contract to purchase, or any other person having enforceable proprietary interest in such land.
Development.	A planning or construction project involving substantial property improvement and, usually, a change of land-use character within the site; the act of using land for building or extractive purposes.
Development Regulations.	Zoning, subdivision, site plan, flood plain regulation, or other governmental regulation of the use and development of land.
Director of Public Works.	The designated city or county administrative official serving as the Director of each respective jurisdictions' Department of Public Works, or the duly authorized representative of the Director.
Drainage.	The removal of surface water or groundwater from land by drains, grading, or other means.
Drainage Easement.	An area set aside for the purpose of transporting storm water.
Drainage System.	The system through which water flows from the land, including all watercourses, waterbodies and wetlands.
Driveway.	A paved or unpaved area used for ingress or egress of vehicles, and allowing access from a street or alley to a building or other structure or facility.
Easement.	A right-of-way granted for limited use of private land for a public, quasi-public, or private purpose.

Engineer.	A registered, Professional Engineer, licensed by the State of Georgia, competent in civil design.
Engineering Director of Water, Gas and Light.	The designated official serving as the Engineering Director of the Water, Gas, and Light Commission of the City of Albany, Georgia.
Environmental Constraints.	Features, natural resources, or land characteristics that are sensitive to improvements and may require conservation measures or the application of creative development techniques to prevent degradation of the environment, or may require limited development, or in certain instances may preclude development.
Escrow.	A deed, a bond, money, letter of credit, or a piece of property delivered to a third person by agreement to be delivered by him to the appropriate party only upon fulfillment or lack thereof of said agreement.
Exempt Subdivision.	See Subdivision, Exempt.
Final Approval.	The official action of the Planning Commission or its designated staff taken on any applications, plats, or site plans, after all conditions have been fulfilled.
Full staff.	Includes Planning, City Engineering, County Public Works, Traffic Engineering, D.O.T., WG & L, et al.
General Development Plan.	A plan that allows a developer to submit general development intentions to receive approval for the development of a major subdivision in phases. It allows the Planning Commission to evaluate the major features of the proposal while allowing the cost of detailed engineering work to be incurred by the developer on a phase by phase basis (see Illustration 3).
Grade.	The slope of a street or other public way, specified in percentage (%) terms.
Gutter.	A shallow channel usually set along a curb or the pavement edge of a road for purposes of catching and carrying off runoff water.
Health Department.	The Dougherty County Health Department, which is duly authorized to perform health services in both the City and the County.
Improvement.	Any man-made item which becomes part of, placed upon, or is affixed to, real estate.
Improvements Guarantee.	A guarantee in the form of a letter of credit, bond or certified check to insure completion of required subdivision improvements.
Inspection Department.	The Building and Inspection Department which is authorized to perform inspections and issue permits for both the City and Dougherty County.

Landscape Architect.	A currently Registered Landscape Architect licensed to practice in the State of Georgia.
Lot.	A designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed, or built upon as a unit.
Lot Area.	The size of a lot measured within the lot lines and expressed in terms of acres or square feet.
Lot, Corner.	A lot abutting on two streets at their intersection.
Lot Depth.	The mean horizontal distance between the front and rear lot lines.
Lot, Interior.	A lot other than a corner lot.
Lot Width.	The mean horizontal distance between the side lines at the minimum building line measured along the building line except in the case of flag lots.
Lot Frontage.	That portion of a lot extending along a street right-of-way line.
Lot Flag.	A lot with a "pole" providing frontage on a public or private street; the "pole" of which is generally of less width than the minimum width allowed for a lot in that zoning district.
Main.	In any system of continuous piping, the principal artery of the system to which branches may be connected.
Major Subdivision.	See Subdivision, Major.
Off-Street Parking Space.	A parking space provided in a parking lot, parking structure, or private driveway.
Open Space.	Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for the public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.
Outlot.	Lots which are either unbuildable or not intended for development, and are allowed only for aesthetics, safety, common use, or the public good. Outlots are normally owned in common and labeled as such.
Owner.	Any individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity having or controlling over fifty (50) percent proprietary interest in the land sought to be subdivided.
Parcel.	Any and all plots of land which are separately identified on the Official Tax Appraisal Maps on the basis of ownership.
Parking Space.	An area provided for the parking of a motor vehicle.

Percolation Test.	(Perc Test.) A test designed to determine the ability of ground to absorb water, and used to determine the suitability of a soil for drainage or for the use of a septic system.
Performance Guarantee. (See Improvements Guarantee.)	
Phased Development.	A tract of land that is subdivided and developed in a series of planned phases. A General Development Plan review is required to perform phased development. (See Illustration 3)
Planned Unit Development.	An area of a minimum size, as specified by ordinance, to be planned, developed, operated, and maintained as a single entity containing one or more structures to accommodate appurtenant common areas. (See Illustration 4)
Planning Commission.	The duly designated planning board of the City of Albany and Dougherty County.
Planning Director.	The Director of the Albany Dougherty Planning Commission or the duly authorized representative of the Director.
Planning Staff.	The professional planning staff of the Albany Dougherty Planning Commission.
Plat.	A map of real property, a subdivision, or site plan.
Plat, Final.	The map or plat for recording as required in these Regulations.
Plat, Preliminary.	The preliminary drawing or drawings, described in these Regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Planning Commission for approval.
Pre-Application Conference.	An initial meeting between developers and appropriate City or County Staff Members.
Preliminary Plat Approval.	The conferral of certain rights prior to final approval after specific elements of a development plan have been agreed upon by the Planning Commission and the applicant.
Private Street.	(See Street, Private)
Public Improvement.	Any structure, drainageway, utility line, roadway, parkway, sidewalk, pedestrian-way, tree, lawn, off-street parking area, lot improvement, or other facility for which the City or County may ultimately assume the responsibility for maintenance and operation.
Public Open Space.	Open space conveyed or otherwise dedicated to a Public Agency.
Public Street.	(See Street, Public)

Public Utilities.	Water, gas, sanitary and storm sewer, electrical, cable, and communications lines and facilities.
PUD.	(See Planned Unit Development.)
Re-subdivision.	A change in an approved or recorded subdivision plat if such change affects any lot line. Lot line does not necessarily mean a property and/or building site line.
Reverse Frontage Lot.	A lot extending between and having a frontage on an expressway or arterial and a minor or local street, and with vehicular access solely from the later.
Retention Basin.	A pond, pool, or basin used for the storage of water run-off.
Right-of-Way.	A strip of land owned and used by the general public, railroads, or utility companies for transportation or other special use. For land platting purposes, every right-of-way hereafter established and  shown on a final plat is to be separate and distinct from the adjoining lots or parcels and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for transportation and utilities shall be dedicated to public use by the maker of the plat on which such right-of-way is established.
Roadway.	The actual road surface area between the inside edges of the curbs, which may include travel lanes, parking lanes, and deceleration and acceleration lanes. Where there are no curbs, the roadway is that portion between the edges of the paved (or hard surface) width.
Septic System.	An underground system with a septic tank and drain tile field used for the disposal of sewage wastes.
Septic Tank.	A sewage disposal tank in which a continuous flow of waste material is decomposed by anaerobic bacteria or stored.
Setback.	The distance between the street right-of-way line and the front line of a building or any projection thereof, excluding uncovered steps.
Sewer.	Any pipe used to collect and carry away sewage or storm water runoff from the generating source to treatment plants or receiving streams or facility.
Shoulder.	That portion of a street or road from the outer edge of the paved surface to the inside edge of the ditch.
Sidewalk (area).	A paved path provided for pedestrian use and usually located at the side of a road within the right-of-way. All sidewalks shall comply with the Americans with Disabilities Act.
Sight Triangle.	(Clear Sight Distance) A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

Sketch Plan.	A rough plan of a proposed subdivision or other development. (See Illustration 2)
Staff Review.	Review by the staff of the Albany Dougherty Planning Commission.
Street.	A roadway, as distinguished from an alley, that affords traffic circulation and principal means of access to abutting property.  Commonly designated as a street, highway, thoroughfare, parkway, expressway, freeway, road, avenue, drive, boulevard, lane, place, circle, court, or otherwise. Various classifications of streets shall be defined as follows (see Appendix 1):
<i>Arterial:</i>	A street which is used primarily for fast and heavy traffic flow at higher design speeds; is of considerable continuity and is used as a connector for travel between major activity centers with some access control.
<i>Major Collector:</i>	A street which carries traffic from activity centers and minor collector streets to arterial streets and streets of higher classifications.
<i>Minor Collector:</i>	Principal entrance street to subdivisions and the main streets for circulation within a subdivision which serve a network of four or more local streets. Minor collector streets are designated so that traffic circulation in a subdivision would cause such a street to be used as a link between local streets and major collector or arterial streets.
<i>Local:</i>	A street used primarily in residential subdivisions for access to abutting properties as opposed to the collection and dispersion of traffic.
<i>Dead End Street:</i>	A street connecting to only one other street.

#### **SPECIAL PURPOSE STREETS:**

Cul-de-sac.	A type of dead-end street having one end open to traffic, the other being permanently terminated by a vehicular turn around.
Frontage Road.	A street which is parallel and adjacent to an arterial street or highway and which provides access to abutting properties and protection or separation from through traffic.
Street, Private.	A street or road duly approved by the Albany Dougherty Planning Commission pursuant to the provisions of the Subdivision Regulations and shown on a recorded plat.
Street, Public.	A street to which the City/County has acquired ownership of and/or maintenance responsibility for, either by dedication and acceptance or other means.
Street, Stub.	A portion of a street for which an extension has been proposed and approved. May be permitted when development is phased over a period of

time, but only if the street in its entirety has been approved in the preliminary plan.

Street Hierarchy.

The conceptual arrangement of streets based upon function. A hierarchical approach to street design classifies streets according to function, from high-traffic arterial roads down to streets whose function is residential access. Systematizing street design into a road hierarchy promotes safety, efficient land use, and residential quality. (See Appendix 1)

Streets,  
Listed Thoroughfare.

Those streets or portions of streets lying in unincorporated areas of Dougherty County and identified in Appendix 2 of these regulations, to which access is restricted or further regulated by these regulations.

Subdivider.

Any person, individual, firm, partnership, association, corporation, estate, or trust, or any other combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as herein defined, including any authorized agent of the subdivider.

Subdivision.

The division of a lot, tract or parcel of land into two or more lots, tracts, parcels, or other divisions of land for the purpose, whether immediate or future, of sale or building development.

Subdivision  
Administrative.

Divisions of two or more lots where each lot has a minimum of five acres and a minimum of 200 feet of frontage on an existing public road, if no new streets are created and the resultant lots meet the standards of the Zoning Ordinance;

Divisions of property by testamentary or intestate provisions;

Divisions of property upon court order, including but not limited to judgements of foreclosure; and

Consolidation of existing lots by deed or other recorded instrument.

Divisions of property owned by multiple owners where the property is to be deeded individually to the several owners and otherwise complies with the provisions of the ordinance.

Realignment of lot lines where no additional lots are created and the new lots comply with all zoning provisions.

Subdivision - Exempt.

Any division of land not classified as a subdivision.

Subdivisions - Major.

Any subdivision not classified as a minor or administrative subdivision.

Subdivisions - Minor.

The following shall be deemed minor subdivisions:

- (a) Any subdivision or re-subdivision which will not involve the construction of public streets or public drainage facilities, and is not

in conflict with the Comprehensive Plan, these regulations, the Zoning Ordinance, or other applicable regulations as officially adopted. ✧

- (b) Where a building exists on each proposed lot, tract, parcel, site or plot of land in the subdivision, provided that the owner certifies on the plat that all such existing buildings were constructed prior to the adoption of these Regulations and that such plat is submitted to the Planning Commission for full staff review which shall be noted on the plat.

Subdivision Regulations.	The Albany Dougherty Subdivision Regulations.
Surveyor.	A registered, practicing surveyor, licensed by the State of Georgia.
USGS.	United States Geological Survey.
Variance.	A waiver from compliance with a specific provision of the subdivision ordinance granted because of particular difficulties or unnecessary hardship that would be imposed by the strict application of that provision of the ordinance. The granting of variances is the responsibility of the Planning Commission.
Water, Gas, and Light (WG&L).	The Water, Gas, and Light Commission of the City of Albany, Georgia.
Wetlands	As established by the United States Corps of Engineers and/or the Environmental Protection Agency.
Zoning Ordinance.	The Zoning Ordinance of the City of Albany, Georgia and the Zoning Regulations of Dougherty County, Georgia, as applicable.

### **ARTICLE III**

### **PROCEDURES**

This article is intended to establish the procedures for Planning Commission review and actions on applications for subdivision development activities.

## SECTION A. PRE-APPLICATION

For the purpose of expediting applications and reducing subdivision development costs, a pre-application conference may be required in accordance with the following procedures.

1. Pre-Application Conference
  - a. The purpose of the pre-application conference is to allow the applicant to meet with appropriate City/County and Public Works officials. All subdivisions shall be submitted to the Albany Dougherty Planning Commission with a completed pre-application form, if requested by the Albany Dougherty Planning Director.
2. Concept Plan
  - a. The applicant may request an informal review of a concept plan for a proposed development. This review will be performed by the Full staff with assistance from the Planning staff, and is designed to provide input in the formative stages of subdivision design.
  - b. Applicants seeking concept plan review shall submit the items stipulated in Article VII of this ordinance seven (7) days before the concept plan meeting.
  - c. A brief written summary of the concept plan review shall be provided to the applicant by the Planning Director within fourteen (14) days of the final meeting.

## SECTION B. APPLICATIONS

1. Type of Applications

The following type applications may be filed by the applicant.

- a. Minor Subdivision
- b. Major Subdivision
- c. Phased Development
- d. Administrative Subdivision

*(Note: Certain developments may involve a combination of applications.)*

2. Content

A subdivision application shall include items specified in Article VII of this ordinance, which constitutes a checklist of items to be submitted for subdivision review.

3. Complete Application

A subdivision application shall be deemed complete for purposes of commencing the applicable time period for action when it is certified as complete by the Planning Director. In all cases, however, the application shall be deemed complete unless Planning Staff has notified the applicant in writing of any deficiencies in the application within a fourteen (14) day period from the date of its submission. In cases where an application is deemed incomplete and the applicant has been notified in writing of application deficiencies, the application will not be processed until the deficiencies are corrected. The resubmission of an application or submission of information needed to correct application

deficiencies will be considered acceptable unless Planning Staff has notified the applicant in writing of additional deficiencies in the application within a seven (7) day period from the date of its resubmission. Though an application has been deemed complete by the action or inaction of Planning Staff, the Planning Commission may subsequently require correction of any information required in the ordinance, as is reasonably necessary to make an informed decision.

## **SECTION C. MINOR SUBDIVISION PROCEDURES**

### **1. Approval of Minor Subdivisions**

- a. An applicant requesting approval of a proposed minor subdivision as defined in this ordinance shall submit to the Planning Staff ten (10) copies and 1 polyester film reproducible of plat information and copies of the items required in Article VII of this ordinance, together with a completed verification of ownership form, a subdivision application form and the stipulated fee.
- b. Review and actions for a minor subdivision shall be handled administratively by the full staff. Actions shall be taken on this application within seven (7) days of certification that it is a complete application or within such further time as may be consented to by the developer.
- c. Actions of the full staff may be appealed to the Planning Commission. An applicant requesting an appeal of the actions of full staff shall submit to the Planning Staff ten (10) copies of the items required in Article VII, of this ordinance within fourteen (14) days of the action. Such appeals will be acted on by the Planning Commission within thirty-one (31) days of the filing of the appeal.

## **SECTION D. MAJOR SUBDIVISION PROCEDURES**

### **1. Preliminary Approval of major subdivision**

- a. An applicant requesting preliminary approval of a major subdivision as defined by this ordinance shall submit to the Planning staff ten (10) copies of the items required in Article VII of this ordinance, together with a completed verification of ownership form, a subdivision application form and the stipulated fee.
- b. The application shall be reviewed and commented on by the full staff. Copies of the application and related information shall be furnished to the full staff by Planning staff within seven (7) days of the date of certification of a complete application. Written review comments shall be returned to Planning Staff within fourteen (14) days of the date of certification of a complete application.
- c. Review for preliminary approval of a major subdivision on a complete application shall be handled by the Planning Commission staff. Action should be taken on this application within twenty-eight (28) days of certification that it is a complete application or within such further time as may be consented to by the developer. Failure of the Planning Commission staff to act within the period prescribed shall constitute preliminary subdivision approval and a certificate of approval shall be issued by the Planning Director on the request of the applicant.

### **2. Effect of Preliminary Approval of Major Subdivision**

Preliminary approval of a major subdivision shall confer the following rights upon the applicant for a period of three (3) years:

- a. The applicant may begin construction upon approval from the City Engineer or County Public Works Department, upon approval of construction plans by appropriate departments.
- b. The applicant may submit for final plat approval of either the entire subdivision, or a portion thereof provided that phased development has been permitted through the approval of a General Development Plan.
- c. The Planning Staff may grant the rights referred to above in subsections a-b for such period of time longer than three (3) years that is determined to be reasonable.

3. Final Approval of Major Subdivision

- a. An applicant requesting final approval of a major subdivision shall submit to the Planning staff ten (10) copies of the items required in Article VII of this ordinance and 1 polyester film reproducible of the plat together with the stipulated fee. In addition, the applicant should submit a statement to the Planning staff from the City Engineer or County Director of Public Works, and/or appropriate utility indicating that the City or County or utility is in receipt of "as built" plans showing all streets and water, sewer, and storm drainage with locations and elevations and identifying those portions already installed and attesting to this completion to applicable specifications and those to be installed, or acceptable improvement guarantees in the amount required to ensure satisfactory completion of required improvements. The applicant shall also provide evidence from the Traffic Engineering Department that all street signs and street lighting requirements have been satisfied. Additionally, deeds to all rights-of-way, easements and improvements dedicating them to the proper government shall be submitted to the Albany Dougherty Planning Commission.
- b. Review and actions for final approval of a major subdivision shall be handled administratively by the full staff. Actions shall be taken on this application within seven (14) days of certification that it is a complete application or within such further time as may be consented to by the developer. Failure of the full staff to act within the period prescribed shall constitute major subdivision approval and approval shall be issued by the Planning Director.
- c. Actions of the Staff may be appealed to the Planning Commission. An applicant requesting an appeal of the actions of the full staff shall submit to the Planning Staff ten (10) copies of the items required in Article VII of this ordinance within fourteen (14) days of the action. Such appeals will be acted on by the Planning Commission within twenty-eight (28) days of the filing of the appeal.

## SECTION E. PHASED DEVELOPMENT

Where large scale developments are proposed, the developer may choose to complete the project in phases. This can be done by the submission of a General Development Plan (GDP), which encourages the developer to perform comprehensive land planning while allowing the costs of detailed site engineering to be incurred on a phase by phase basis (see illustration 3).

1. Application Procedures

- a. An applicant requesting approval of a GDP shall submit to the Planning Staff twenty (20) copies of the items required in Article VII of this ordinance and a polyester film reproducible together with a completed application form and the stipulated fee.
  - b. The application shall be reviewed and commented on by the full staff. Copies of the application and related information shall be furnished to the full staff by Planning staff within seven (7) days of the date of certification of a complete application. Written review comments from the full staff shall be returned to the Planning Staff within fourteen (14) days of the date of certification of a complete application.
  - c. Review and action for approval of a GDP shall be handled by the Planning Commission. Action should be taken on this application within 35 days of certification that it is a complete application or within such further time as may be consented to by the developer.
2. Effect of Approval of General Development Plan
- a. An approved GDP is designed to serve as a guide for the applicant's preparation of and the Planning Commission's review of future preliminary plats. Approval of a GDP grants the following non-vested rights, which are presumed to be valid for ten (10) years subject to engineering and environmental considerations:
    - (1) The location and general nature of infrastructure such as streets and utilities.
    - (2) The total number of residential dwelling units by type (i.e. detached single family, townhouses, garden apartments, etc.) and/or the amount and type of non-residential floor area (i.e. commercial, office, industrial, etc.)
    - (3) The general location and density of these uses within the proposed development.
    - (4) The nature of the proposed phases of development.
  - b. Each phase of the development shall be separately granted preliminary and final approval pursuant to Major Subdivision review procedures. Each section of a phased development must be planned and constructed in such a way that adheres to the GDP concept and meets all design standards. Also, each phase must be able to exist independently and effectively if no further phases are completed.
  - c. The Planning Commission may approve preliminary plats of phases with slight deviations from the GDP, but may require the submission of a revised GDP if the changes are determined to significantly affect the character or performance of the development.
  - d. The Planning Commission may grant the rights referred to above in subsections a-c. for such period of time longer than ten (10) years that it determines to be reasonable.

## SECTION F. RECORDATION

### 1. Plats

The Clerk of the Superior Court shall not file or record a final plat of a subdivision, as defined within these regulations, until such plat has been approved in accordance with the provisions of this

ordinance and signed by the Planning Director. The Planning staff shall be responsible for the delivering of final plats to the Clerk of the Superior Court for recordation and shall accomplish such delivery with the next full working day after all required signatures have been affixed to the plat.

2. Deed of Conveyance

A deed transferring title of streets, easements and other designated areas shall be submitted to the appropriate commission for their acceptance. These deeds may be submitted upon preliminary approval for acceptance by the Commission conditioned upon approval of the improvements by the City Engineer or Dougherty County Public Works Director as appropriate.

## **SECTION G. ADMINISTRATIVE SUBDIVISION PROCEDURES**

1. Approval of Administrative Subdivisions

- a. An application requesting approval of an Administrative Subdivision as defined by this ordinance shall submit to the Planning Commission three (3) copies and 1 polyester film reproducible of plat information and copies of the items required in Article VII of this ordinance, together with a completed application form and the stipulated fee.
- b. Review and actions for an Administrative Subdivision shall be handled by the Planning Director. Actions shall be taken within four days of certification that it is a complete application or within such further time as may be consented to by the developer. Failure to act shall constitute approval.
- c. The Planning Director shall notify the Planning Commission of actions taken on administrative subdivisions within twenty-eight (28) days of the action.
- d. Actions of the staff may be appealed to the Planning Commission. An applicant requesting an appeal of the actions of the full staff shall submit to the Planning staff ten (10) copies of the items required in Article VII of this ordinance within fourteen (14) days of the action. Such appeals will be acted on by the Planning Commission within twenty-eight (28) days of the filing of the appeal.

## **SECTION H. CONSERVATION SUBDIVISIONS (DOUGHERTY COUNTY ONLY)**

Conservation Subdivisions shall be allowed on property zoned RG under the following procedures and conditions:

1. Mapping the Resources

- a. The initial contact for conservation subdivision approval between the developer and the Planning Department will be prior to a fully engineered site plan, or preliminary plat. This initial contact will have the developer presenting a mapped inventory of the sites natural features, including 1) soils, 2) wetlands, 3) streams, 4) woodlands, 5) floodplains, 6) farmland, 7) significant wildlife habitat (esp. that which contains known threatened or endangered species), 8) any historic, archeological, or cultural features on the site, and 9) linkages to other conservation easements or areas on adjacent developments or tracts.

- b. Next, an overlay of the expected development layout map will be presented, and overlain on the Natural Inventory map. This map will show tentative lot, street, trails, and other development locations, in addition to the required preserved open space (again, this should not be a fully engineered plan, because it will most certainly change with County personnel, et al, input). Any developments considered for conservation subdivision approval will address and meet these requirements.
2. At this point, the applicant will also present his “yield plan”, demonstrating the density potential of the site, and outlining clearly the density bonus calculations used to determine density, and subsequently, lot layout. The project’s lot density will be determined by using a “neutral density” formula, whereby the initial density is equal to that allowed by the conventional zoning. That is, if the zone is RG (minimum 2 acres per lot) and the entire parcel is 50 acres, then the project will be allowed an initial overall density of 25 lots on the tract. Lot sizes (as long as lot sizes are not decreased by more than 75%), setbacks, and other previously static criteria shall be relaxed, as long as the permitted density of the overall tract is not exceeded. However, the more acreage the developer places in preservation, the more density bonuses he will be awarded.

For example, if the developer is required to place (under this development option) a minimum of 35% of the tract in a permanent conservation easement, and he elects (either by option or as a requirement in meeting the criteria specified in the Subdivision Regulations) to preserve 50% of the tract (not counting streets or that acreage that would not be developable anyway—wetlands or streams, for example) he will be awarded a density bonus of 15%, meaning he could develop an additional 4 lots, for a total of 29:

$$\begin{aligned}
 &25 \text{ (initial lot density)} \\
 &\underline{\times .15 \text{ (density bonus)}} \\
 &= 3.75 \text{ extra lots (round up the .75)} \\
 &= 4 \text{ extra lots awarded on the preservation area} \\
 &\text{density bonus.}
 \end{aligned}$$

The developer shall also be awarded density bonuses for each of the following:

1. Linkage to adjoining open space or significant conservation areas: the developer may be awarded a 5% density bonus (from neutral density) by linking these areas. Therefore, our example development would now have a total of 30 lots [(25x .05 = 1.25) + 29+ 30].
2. Dedication of land for public use (not limited to the residents of the development) will provide an additional density bonus maximum of one dwelling unit per 5 acres of publicly accessible open space. If our example development provided access to all the open space preserved in this development, the developer would have acquired another additional 5 lots, for a total of 35:

$$\begin{aligned}
 &25 \text{ acres preserved} \\
 &\underline{\times .20 \text{ (one unit per 5 acres=)}} \\
 &5 \text{ density bonus units} \\
 &\underline{+ 30 \text{ previous lots}} \\
 &35 \text{ total lots}
 \end{aligned}$$

This is an example of how density yield would be determined. Now, our overall density increases to 35 lots on 25 acres. Subtract the amount of acreage needed for streets or roads (say, 20% of remaining land area), and we have 35 lots on 20 acres, or an average lot size of nearly 25,000 square feet, well within our stipulation stating that lot sizes must not be under 25% of the conventional zone’s minimum lot size. Hereafter, in order to facilitate permitting, these lots (in the example subdivision) will have an even different

zoning classification: ‘RG-C’, the ‘C’ denoting a lot in a conservation subdivision. The minimum lot size will be denoted on the plat, and the planner or zoning administrator will refer to this plat to determine minimum lot size, setbacks, etc, when issuing building permits.

### 3. Dedication and Ownership

Common open space within a development may be owned, administered, and maintained by any of the following methods either individually or in combination, and subject to the approval of the County Commission.

- A. Offer of Dedication. The County shall have the first and last offer of dedication of undivided open space in the event said land is to be conveyed. Dedication shall take the form of a fee simple ownership. The county may, but shall not be required to accept undivided open space provided: a) such land is accessible to the residents of the County; b) there is no cost of acquisition other than any costs incidental to the transfer of ownership such as title insurance; c) the County agrees to and has access to maintain such lands. Where the County accepts dedication common open space that contains improvements, the County may require the posting of a financial security to ensure structural integrity of said improvements as well as the functioning of said improvements for a term not to exceed 18 months from the date of dedication. The amount of financial security shall not exceed 15% of the actual cost of said improvements.
- B. Homeowners’ Association. The undivided open space and associated facilities may be held in common ownership by a homeowners’ association. The association shall be formed and operated under the following provisions:
  - a) The developer shall provide a description of the association, including its bylaws and methods for maintaining the open space.
  - b) Membership in the association is automatic (mandatory) for all purchasers of homes/lots in the development and their successors. The conditions and timing of transferring control of the association from developer to homeowners shall be identified.
  - c) The association shall be organized by the developer and shall be operated with a financial subsidy from the developer, before the sale of any lots within the development.
  - d) The association shall be responsible for maintenance of insurance and taxes on undivided open space, enforceable by liens placed by the township on the association. The association may place liens on the homes or house lots of its member who fail to pay their association dues in a timely manner. Such liens may require the imposition of penalty interest charges.
  - e) The members of the association shall share equitably the costs of maintaining and developing such undivided open space. Shares shall be defined within the association bylaws.
  - f) In the event of a proposed transfer, within the methods here permitted, of undivided open space land by the homeowners’ association, or of the assumption

of maintenance of undivided open space land by the County, notice of such action shall be given to all property owners within the development.

- g) The association shall have or hire adequate staff to administer common facilities and properly and continually maintain the undivided open space.
- h) The homeowners' association may lease open space lands to any other qualified person, or corporation, for operation and maintenance of open space lands, but such a lease agreement shall be privy to special accommodations, and not violate the purpose or spirit of the open space. This would be particularly relevant in farming areas, where cropland is considered as part of the undivided open space.
- i) The lease shall be subject to the approval of the board and any transfer or assignment of the lease shall be further subject to the approval of the board. Lease agreements so entered upon shall be recorded with the County (Clerk of the Superior Court and the Planning Department).

#### 4. Maintenance Standards

- a) The ultimate owner of the open space (typically a homeowners' association) shall be responsible for raising all monies required for operations, maintenance, or physical improvements to the open space through annual dues, special assessments, etc. The homeowners' association shall be authorized under its bylaws to place liens on the property of residents who fall delinquent in payment of such dues, assessments, etc.
- b) In the event that the association or any successor organization shall, at any time after establishment of a development containing undivided open space, fail to maintain the undivided open space in reasonable order and condition in accordance with the development plan, the County may serve written notice upon the owner of record, setting forth the manner in which the owner of record has failed to maintain the undivided open space in reasonable condition.
- c) Failure to adequately maintain the undivided open space in reasonable order and condition would constitute a violation of the ordinance set forth by the County. The County is therefore authorized to give notice to the owner or lessor of any violation, with directions to remedy the same with (a specified amount of time).
- d) Should any bills or bills for maintenance of undivided open space by the County be unpaid by (a specified date), a late fee of adequate percentage shall be added to such bills and a lien be filed against the premises in the same manner as other municipal claims.

## ARTICLE IV

### DESIGN AND IMPROVEMENT STANDARDS

#### SECTION A. GENERAL PROVISIONS

Subdivision development shall be in conformity with the following design and improvement standards. With regard to roadway, drainage, and utility requirements, alternate design standards may be approved by the

Planning Commission, City Engineer, Dougherty County Director of Public Works, Engineering Director of Water, Gas and Light Commission, or Director of Traffic Engineering; however, such changes shall be in accordance with sound engineering practices and for the purpose of addressing hardship and unsafe conditions which would result under the strict applications of the requirements of these regulations.

## **SECTION B. GENERAL DESIGN STANDARDS**

The subdivision of land including the arrangement, character, extent, width, grade, and location of all streets, alleys, cross-walks, easements, sites for parks, playgrounds, and schools or other land to be dedicated for public use - shall conform to the Comprehensive Plan of the City of Albany and Dougherty County. Approval of the design of a proposed subdivision shall be considered on the basis of its relation to existing and platted streets, reasonable circulation of traffic within the subdivision and adjacent land, topographic conditions, run-off of storm water, public convenience and safety, and appropriate relation to the proposed land uses of the areas to be served.

### **1. Size and Shape of Land to be Subdivided**

- a. The size and shape of the land to be subdivided shall be sufficient and proper for land planning purposes and suitable in area and dimensions for the uses intended.
- b. The plans for the subdivision of the property should incorporate into, and be compatible with, the existing and potential uses on property contiguous to the area to be subdivided.

### **2. Design Compatibility with Natural Features**

- a. The design of every subdivision shall be compatible with the existing topography, drainage patterns, and other natural features on the site.
- b. The design of every subdivision should conserve, wherever possible, isolated mature trees, wooded areas, water courses, scenic views, ponds, floodplain areas, historical landmarks, and other features of the property, which if preserved, would add to the attractiveness and value of the subdivision, neighborhood, or the City/County as a whole.

### **3. Subdivision Name**

The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically or in spelling, the name of any other subdivision previously approved and/or recorded, except where the subdivision is a phase or addition of a large or existing development or is a re-subdivision of a previously recorded subdivision.

The Planning Commission shall have final authority to approve the name of the subdivision and phase or addition number.

### **4. LOTS**

#### **a. Political Boundaries**

In general lots shall be laid out so that they do not cross any political boundary. However, if a proposed subdivision is so located as to require or is proposed to have access provided through another county or is to be located partially within either Dougherty County or the City of Albany and partially within some other jurisdiction, the subdivider shall provide the Planning Commission with official assurances from such other jurisdictions that such access is, in fact, on a public thoroughfare.

b. Arrangement

The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with these City/County regulations and in providing driveway access to buildings on such lots from an approved public or private street.

c. Lot Specifications

- (1) Lot dimensions shall comply with the minimum standards of the Zoning Ordinance and the Health Department in areas not served by public water and sewer.
- (2) In general, side lot lines shall be at right angles (or radial to curving street lines) unless a variation from this rule shall provide a better street or lot plan.
- (3) The depth and width of properties reserved or laid out for business, commercial or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in the Zoning Ordinance.
- (4) In general, if there are easements down side lot lines of individual lots in a subdivision and a building site consists of more than one lot, the easement down the middle of interior lot line is voided or removed unless there has been some utility construction placed within the easement and the utility easement is relocated down the new property line. An administrative subdivision shall be filed removing the center lot line.
- (5) Lots abutting a water course, drainageway, channel, or stream shall have a minimum width and depth required to provide an adequate building site while providing front, side, and rear yards as required in the Zoning Ordinance. As required in the City/County Flood Plain Management Ordinance, the building finished floor elevation shall be one (1) foot above the flood level as measured from the 100-year flood water line.

d. Access

- (1) All lots shall abut a public or approved private street as permitted by the provisions of these regulations.
- (2) Double frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from major or minor arterial streets or highways or to overcome specific disadvantages of topography and orientation.
- (3) All subdivisions containing lots fronting on State Highways shall be submitted to the Department of Transportation for approval.
- (4) Single Business Enterprises and Multiple Business developments considered to be high-traffic generators shall provide a cross access drive and pedestrian access to allow circulation between sites.

e. Driveway Location

- (1) Driveways shall be located so that there is adequate clear sight distance onto the abutting road, avoiding locations along the inside curve or below the crown of a hilltop on an arterial street.

f. Flag Lots

Flag lots shall be allowed as follows:

- (1) Where the flag lots makes it possible to better utilize irregularly shaped properties or areas with resource limitations.
- (2) The "pole" portion of a flag lot shall not be included as part of the lot area for the purpose of determining average lot area, and the "pole" shall have a minimum width at the street right-of-way of not of not less than thirty (30) feet, provided that where the flag lots are used, there shall be at least two lots at any point of access for a total minimum joint frontage of sixty feet.
- (3) Flag lots shall not be permitted whenever their effect would be to increase the number of driveways taking access to a collector or arterial road. Shared driveways shall be used to eliminate additional points of access. This criterion prohibits one of the most common abuses, the use of flag lots to avoid the developmental costs of roads. These sites are best developed without flag lots, even if the cost of the lots is thereby increased, since controlling access reduces congestion on major roads. **The shared driveway shall be provided by the developer prior to recording the subdivision (applies to county only), and the driveway shall be constructed to the minimum depth necessary to serve all lots prior to recording the plat. The driveway shall be paved, be at least 20' wide, and have a cul-de-sac with a minimum radius of 60' at its terminus. (applies to the county only).**
- (4) Minimum lot area for flag lots shall be at least twice that of the zoning district in which the flag lot is located, except in the AG District where the minimum lot size shall be the zoning minimum.
- (5) Side and rear yard requirements shall be met on the lot excluding the "pole" portion of the lot.
- (6) The maximum length of the "pole" portion of the lot shall be no more than five times the lot width measured at the building line. This may be greater due to unusual circumstances when approved by the Planning Commission.
- (7) A minimum frontage of 30 feet shall apply to lots which front upon the turn-around portion of a cul-de-sac.

5. Blocks

a. Design

- (1) The length, width, and shape of blocks shall be determined with due regard for the following:

- (a) Provisions for adequate building sites suitable to the special needs of the type of uses contemplated.
  - (b) The size requirements of lot size within the applicable zoning district.
  - (c) Need for convenient access, circulation, control, and safety of the street traffic.
- (2) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to arterial streets, railroads, watercourses, drainage-ways, or other property lines of the subdivision.
  - (3) No block should exceed 1,800 feet in length except where required by unusual topographic conditions.
  - (4) In blocks exceeding twelve hundred (1200) feet in length, the Planning Commission may require a twenty (20) foot-wide right-of-way or easement through the block to accommodate utilities, drainage facilities, and/or a paved sidewalk.

## SECTION C. STREETS

### 1. General Standards

- a. All streets in the subdivision shall be properly integrated with the existing and proposed street system as established on the DARTS plan and Comprehensive Plan of the City of Albany and Dougherty County.
- b. Major elements of the street system should be used to help define and buffer different land use areas, enhancing their identity and cohesiveness.
- c. To the extent feasible, the lineal length of streets, the number of street intersections, and the paved area within intersections should be minimized.
- d. The design of the street system of the subdivisions shall be in accordance with Table I a, b - Minimum Standards for Street Design and Construction and shall be in accordance with the engineering standards herein.
- e. Adequate drainage structures shall be provided. The design, installation, and construction of drainage structures shall comply with the engineering standards herein and the City of Albany and Dougherty County Flood Plain Management Ordinance.
- f. Private streets shall be permitted if they have an alignment and width consistent with Engineering and Planning Commission recommendations, have adequate easements for utilities and access and are local in nature and designed to prevent through traffic. Prior to final plan approval, the applicant shall file a Release of Maintenance Agreement with the City/County attorney, releasing the relevant governing body from any present or future maintenance of all private streets. The perpetual maintenance of private streets shall be guaranteed by the establishment of a homeowners association, other responsible association, or other instrument. In all cases, the instrument of street maintenance shall be approved by the Planning Commission. When built, private streets shall have signs posted indicating

they are private streets. If, in the future, the property owners desire the streets to become public, they shall be improved to existing City, County standards prior to acceptance by the governing body. Private street design and construction standards shall be submitted to the City/County Engineer for approval. In no case shall land reserved for right-of-way be less than required for a similar public street, nor shall the road width be less than required for a public road of similar classification.

- g. Private access drives shall be permitted to serve landlocked lots only where these lots were in existence prior to the enactment of these regulations, or are a result of special physical features that otherwise render the property undevelopable. No more than one such drive shall be approved per subdivision development and must be approved as part of the original plat.

In cases where the private access drive will serve a lot or lots which existed prior to the enactment of the regulations and there is no subdivision of property proposed, the owner must secure a minimum 20 foot wide easement from the public road to his property. The easement must be improved in accordance with the following standards.

	Right-of-way width	Pavement width	Minimum/ Maximum Gradient
	<u>(Ft.)</u>	<u>(Ft.)</u>	<u>(%)</u>
Dougherty County	20	18	.4/6

Pavement widths are in feet measured between edges of shoulders or gutters and thereby exclude curb and gutter widths.

- h\*. "Listed Thoroughfares" to which driveway access is restricted or limited by these regulations are included in Appendix 2 and regulated as follows: (Driveway access for listed streets in the City of Albany, not under the jurisdiction of Georgia Department of Transportation (GDOT), is regulated by h. (5) – (9). Listed streets within the Central Business District are exempt from these regulations.)

- (1) Where property fronts on an existing county thoroughfare as listed in Appendix 2 and is developed or redeveloped as a single family or duplex subdivision, the property must comply with the following lot frontage and driveway restrictions:

Amended March 17, 2008

- (a) subdivision of property zoned AG (Agricultural) or E-1 (Estate) is restricted to a minimum lot frontage of 450 feet and only one driveway per lot. A minimum 175 feet spacing is required between driveways and/or public/private streets, which must be shown on the final plat;
- (b) subdivision of property not zoned AG or E-1 is restricted to minimum lot frontages of 300 feet for all corner lots and 250 feet for all interior lots and only one driveway per lot. A minimum 175 feet spacing is required between driveways and/or public/private streets, which must be shown on the final plat;

Generally, this would mean that lots should not front said listed thoroughfares, however, any design solution that satisfies the intent of restricting direct vehicular access to such thoroughfares would be acceptable. Potential design solutions to achieve this purpose include:

- (1) use of marginal access streets wherein land abutting a listed thoroughfare is separated from such thoroughfare by a planted or grassed strip of land and a marginal access street;
- (2) use of reverse frontage lots wherein lots back up to a listed thoroughfare and front on and have access only to a local or minor collector street running approximately parallel to the listed thoroughfare. Such reverse frontage lots shall have a no-access reservation (at least 15 feet wide) along their rear property line and immediately adjacent to any abutting listed thoroughfare;
- (3) using one or more cul-de-sacs, U-shaped streets or short looping streets wherein lots front and only have access to such streets and those streets are only entered from and generally designed at right angles to a street not a listed thoroughfare and laid out approximately parallel to any listed thoroughfare; and
- (4) other such design solutions as may be devised to achieve the same results. The use of deep lots with rear service alleys and a no access reservation along the front of the lot or the use of cul-de-sacs, U-shaped streets or short looping streets having direct access to a listed thoroughfare is not considered a good solution and should be approved only when unique circumstances make other solutions unacceptable.

Where a commercial or industrial subdivision will abut or contain a listed thoroughfare, the Planning Commission may require the use of such design standards as listed above.

- (2) Any lot on a designated listed thoroughfare but not a State Highway which is to be used for residential purposes containing 3 or more dwelling units per building shall be reviewed and approved as a business use property.
- (3) Single Business Enterprise on a Single Lot on a "Listed Thoroughfare"
  - (a) Traffic movements confined primarily to on-site employees of any type business of no more than 40 employees are permitted driveways as follows:
    - (1) Corner Lots - one 2-way on the principle thoroughfare and one 2-way on the cross street; or
    - (2) Interior Lots - one 2-way driveway or two 1-way driveways.
  - (b) Traffic movements consisting primarily of in-and-out customer activities with any type business except service stations and convenience stores with gas and characteristics shall be permitted driveways as indicated below:

- (1) No more than 50 on-site parking spaces or are located on sites of less than 300' frontage are permitted driveways as follows:
  - (a) Corner Lots - one 2-way driveway on the principle thoroughfare or side cross street and one 2-way or two 1-way driveways on the other remaining street; or
  - (b) Interior Lots - one 2-way driveway or two 1-way driveways.
  
- (2) More than 50 on-site parking spaces and are on sites having a minimum of 300' frontage are permitted driveways as follows:
  - (a) Corner Lot - two 2-way driveways on the principle thoroughfare or side cross street and one 2-way or two 1-way driveways on the other remaining street; or
  - (b) Interior Lot - two 2-way driveways.
  - (c) Service stations and convenience stores which include gas and oil sales and have a minimum frontage of 150' shall be permitted no more than one (1) curb opening for each fifty (50) feet of frontage or major fraction thereof along any street.

No driveway or curb opening shall be located nearer than ten (10) feet to any corner or exterior lot line, as measured along the property line. No driveway shall be located nearer than thirty (30) feet, as measured along the property line, to any other driveway giving access to or from the same service station.

- (d) In all cases, driveways are to be located as far as practical from an intersection.

(4) Multiple Businesses on Either CORNER or INTERIOR Lots or Tracts on a "Listed Thoroughfare"

The following applies to as many said thoroughfares as the property borders and any business use.

- (a) Sites with up to 300' of frontage are permitted one 2-way driveway or two 1-way driveways.
- (b) Sites with more than 300' and up to 1000' of frontage are permitted two 2-way driveways.
- (c) Sites with more than 1000' and up to 2000' of frontage are permitted three 2-way driveways.
- (d) Sites with more than 2000' and up to 3000' of frontage are permitted three 2-way driveways or two 1-way driveways and one multi-lane driveway.

- (e) Sites with more than 3000' frontage will be permitted driveways on a case-by-case basis upon study and recommendation of the person designated to act as the County Traffic Engineer and/or State Traffic and Safety Engineer as appropriate.

In the above instances (a-e), driveways of corner lots or tracts shall be as far as practical from the intersection.

- (5) Where a subdivision for single-family and two-family lots will abut or contains any of the urban principal or minor arterials listed in Appendix 1, the Planning Commission shall require that such single-family and two-family lots not have direct vehicular access to such listed urban principal or minor arterials. Access must be from an interior local street or frontage street.

The Planning Commission may, upon the recommendation of the City Engineer, allow direct access to listed principal or minor arterials under the following conditions:

- (a) subdivision of property to accommodate the residential needs of family members of the owner of a large tract of land;
- (b) when there are particular and unusual physical conditions, not caused by the owner, which would result in a hardship as distinguished from a mere inconvenience.

The following minimum frontages for listed urban principal or minor arterials are allowed if the Planning Commission grants direct access based on (a) or (b) above: any lot created will have a minimum frontage of 450 feet and only one driveway per lot; or where the subdivision will have minimum lot frontages of 300 feet for all corner lots and 250 feet for all non-corner (interior) lots and the plat will contain restrictive covenants requiring the use of joint (common) or abutting driveways, or parallel driveways which are no more than six feet from the property line.

- (6) Subdivision of property on a listed urban principal or minor arterial, which is to be used for residential purposes containing three or more dwelling units per building shall follow access requirements outlined in (7) for commercial and industrial subdivisions.
- (7) Where a commercial or industrial subdivision will abut or contain an urban principal or minor arterial listed in Appendix 3, the Planning Commission shall require that such lots follow driveway access guidelines established by the GDOT document "Regulations for Driveway and Encroachment Control." These guidelines are attached as Appendix 4.
- (8) Where any lot abuts or contains a collector listed in Appendix 3, the Planning Commission shall require that such lots follow driveway access guidelines established by the GDOT document "Regulations for Driveway and Encroachment Control." These guidelines are attached as Appendix 4.
- (9) An appeal for additional access for (7) and (8) above must be made to the City of Albany Engineering Department according to that department's procedure.
- i. **Improvement Plan and Grading Requirements:** Streets shall be graded and improved to conform to the City and County Construction Standards and Engineering Specifications and

shall be approved as to design and constructions by the City Engineer and Dougherty County Director of Public Works.

- j. **Alleys:** Alleys may be required in high density residential, commercial and industrial developments. Where provided, alleys shall have a minimum right-of-way (ROW) width of twenty-five (25) feet and a minimum pavement width of twenty (20) feet. (See Table 1 a,b - Minimum Standards for Street Designs.)
- k. **Dead-End Streets (Temporary):** If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the boundary line of the property being subdivided. A temporary turnaround of a design approved by the City Engineer and the Dougherty County Director of Public Works, shall be provided on all temporary dead-end streets, with the notation on the subdivision plat that land required outside the normal street right-of-way shall revert to abutting owners whenever the street is continued.
- l. **Cul-de-sacs:** Cul-de-sacs in residential areas should not be longer than eighteen hundred (1,800) feet, but may be approved for longer lengths depending on design constraints. Cul-de-sacs may be built with standard circular turnarounds or with standard circular turnarounds with center islands. If a cul-de-sac is built with standard circular turnaround with center island, the island shall be landscaped with grass or trees and maintained by a homeowners association. All dead-end streets shall be provided with a cul-de-sac.
- m. **Sight Triangles (Clear Sight Distance):** Where any street intersection is created which would create a traffic hazard by limiting visibility within the sight triangle, the developer shall cut such ground and/or vegetation in connection with the grading of the public right-of-way to the extent deemed necessary to comply with the sight distance requirements of these regulations and shall not erect any sign or improvement which would preclude safe sight distance.
- n. **Curb and Gutter:**
  - (1) Where curb and gutter are constructed, vertical curb shall be used on all collector streets. Mountable (rolled) curb may be used on local streets if its use does not adversely affect storm drainage, if approved by the City Engineer. (Design specifications for curb are contained in the appropriate jurisdiction's constructions specifications).
  - (2) Where provided, curb and gutter shall be constructed based on City/County Construction Standards and Specifications.
- o. **Roadside Ditches:** Where curb and gutter is not provided, drainage ditches shall be constructed to provide for proper drainage. Drainage ditches shall have side slopes no steeper than 3:1, and shall be grassed and mulched, sodded, or paved depending on the intended design velocity of stormwater. Drainage ditch construction shall conform to the specifications detailed in applicable City/County Construction Standards.
- p. **Utility Areas:** Utilities shall generally be located within the right-of-way and/or easements on both sides of and parallel to the street in accordance with Appendix 10 a,b. Utility areas shall be planted with grass or ground cover, or treated with other suitable cover material.

- q. **Street Names and Signs:** No street name shall be used which will duplicate or be confused with the name of existing streets. Therefore developers are required to submit their proposed street names to the Planning Commission. Duplication of street names between the City and County are not to occur except where a street is planned as a continuation of a street between the two jurisdictions. A street which exists or is planned as a continuation of a street shall bear the same name. The Planning Commission shall have final authority to approve street names in new subdivisions. At least two street name signs shall be placed at each four-way intersection, and one at each "T" intersection. Signs shall be free of visual obstructions. Street name signs shall be furnished and installed by the City or County. These shall be paid for, by the subdivider, prior to the recording of the final plat.
- r. **House Numbers/Street Addresses:** House numbers or street addresses shall be provided by the Planning Commission after preliminary plat approval and a copy of the final plat showing the approved house numbers or street addresses shall be submitted along with the final plat. The Planning Staff may approve minor corrections or modifications at final review.
- s. **Reserve Strips:** The creation of fee simple reserve strips to preclude access shall not be permitted. Streets roughly parallel to the boundary line of the subdivision shall be located either on that boundary line or not less than one lot depth from said boundary line. All streets intended to provide the subdivision and adjacent parcels of property with means of ingress and egress shall extend to the boundary line of the subdivision.

## 2. Design Criteria

In order to provide for roads of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access to police, fire fighting, sanitation, and road maintenance equipment, and to coordinate roads so as to compose a convenient system and to avoid undue hardships to adjoining properties, the following design standards are hereby required. The following design criteria are ideal standards that should be the goal of all design. However, specific site conditions may dictate these goals to be unattainable. In such cases, flexibility will be allowed.

## 3. Design Layout

### a. General Concepts

- (1) All streets shall be located in relation to existing topographic conditions, to public convenience and safety, and to efficient drainage and utility systems.
- (2) All streets shall be properly related to special traffic generators such as industrial business districts, schools, churches, and shopping centers, to population densities, and to patterns of existing and proposed land uses.

### b. Residential Streets

- (1) A residential area should be conveniently accessible from arterial streets.
- (2) Residential streets shall provide safe and convenient access to housing.
- (3) Local streets shall be so laid out as to discourage high speed or through traffic, but the design shall be logical and comprehensive to a motorist or a pedestrian attempting to travel to and through the subdivision.

- (4) Curvilinear streets, cul-de-sacs, or looped streets shall be used where such will result in a more desirable layout.
- (5) Layout of residential areas should be planned to avoid future need to widen any local streets or minor collector streets.

c. Non-Residential Streets

- (1) Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended through adjacent existing or potential residential areas.
- (2) The streets and other access ways shall be planned in connection with the grouping of buildings, location of rail facilities, and the provisions of alleys, truck loading and maneuvering areas, and walks and parking areas, so as to minimize conflict of movement between the various types of traffic, including pedestrian.
- (3) Streets extending parallel or approximately parallel to a railroad right-of-way should:
  - (a) be at a sufficient distance therefrom to ensure depth for commercial or industrial sites, and
  - (b) be at a distance at least 50 feet from the railroad right-of-way when intersecting a street which crosses the railroad at grade, or be at such other distance as shall be necessary, when intersecting a street which will be grade separated when crossing the railroad.

d. Design Speeds For Streets: Part of the criteria to be used in the layout and design of streets shall be the following vehicular speed design factors:

Arterial 45-55 miles-per-hour  
Major Collector\* 40-45 miles-per-hour  
Minor Collector\* 30-45 miles-per-hour  
Local 25-30 miles-per-hour

\*The lower speed within the range shown shall apply specifically to residential areas while commercial and industrial area streets may use the full speed range depending on specific requirements of the development.

NOTE: The above vehicular speed design factors shall not necessarily be used to establish speed limits.

e. Intersections

- (1) Streets shall be laid out so as to intersect as nearly as possible at right angles, but in no case shall any intersection be less than 75 degrees. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least 100 feet there from.
- (2) Intersections on the inside of a curve, on a hilltop, or a point slightly below a hilltop shall be avoided.

- (3) An intersection of more than 2 streets shall not be permitted without approval of the Planning Staff, Traffic Engineer, City Engineer or Dougherty County Public Works Director.
  - (4) In non-residential areas and along arterial streets, proposed new intersections shall, wherever practicable, coincide with any intersections on the opposite side of such street.
  - (5) In cases of intersection off-sets, centerline jogs of less than one hundred and fifty (150) feet shall not be permitted whenever possible; however major streets should be aligned to avoid off-sets altogether.
4. A system of joint use driveways and cross access easements shall be established wherever feasible along "Listed Thoroughfares," and the building site(s) shall incorporate the following:
- A. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation.
  - B. A design speed of 10 mph and sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles, and loading vehicles.
  - C. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access through a service drive.

#### **SECTION D. EASEMENTS**

##### **1. Utility Easements**

With the exception of where utilities are placed in alleys where required, easements shall be located on front, side, and rear lot lines. The width of front easement shall vary depending on location on the property and subject to review by the full staff. Side and rear easements shall be at least ten (10) feet wide, on each side of the lot line or property line where there are existing or planned utilities or drainage ways or as deemed otherwise necessary by the City Engineer or Dougherty County Public Works Director.

#### **SECTION E. WATER FACILITIES**

##### **1. General Requirements**

- a. Public water main extensions shall be approved by the appropriate utility system. Private water systems shall be approved by the State of Georgia EPD with review by the City Engineer and Dougherty County Public Works Director as appropriate.
- b. All public water main extensions shall conform to the specifications of the appropriate utility system.
- c. A copy of the "as-built" water system plan shall be submitted to the Engineering Director of Water, Gas & Light, the City Engineer and to the Dougherty County Director of Public Works.

- d. All minor and major plats shall show the location of all fire hydrants within 500 feet of the subdivision.

## **SECTION F. SEWERAGE FACILITIES**

### **1. General Requirements**

State public health regulations and the City of Albany Sewerage and Pre-Treatment Standards, as administered by the EPD and City of Albany control the installation of sewerage facilities. The following are minimum requirements subject to EPD and the City of Albany approval.

- a. When an adequate public gravity flow sewer line is within three hundred (300) feet of the proposed development and it can be determined to be economically feasible, the applicant shall connect each lot to the system. It shall be considered economically feasible to connect a subdivision to a public sewer system when the total cost for sanitary sewer does not exceed the cost for septic tank system by more than three (300) hundred percent.
- b. When future upstream extensions are possible, sewer easements through the proposed development shall be required.
- c. Private disposal systems or treatment plants and septic tanks shall be approved by the Dougherty County Health Department and if within the city limits, shall be approved by the City of Albany.
- d. Installation of any sewer lines, laterals and mains shall be subject to the approval of the City Engineer.
- e. A copy of the "as-built" sewer plans shall be submitted to the City Engineer or Dougherty County Director of Public Works.

### **2. Design Standards**

Additional design and construction standards for sewerage facilities, which also apply, are cited in the Construction Standards and Engineering Specifications of the City of Albany and Dougherty County.

## **SECTION G. STORM WATER MANAGEMENT**

### **1. Drainage**

- a. General Requirements: The following general requirements shall apply to the development of all subdivisions within the City or County.
  - (1) Separation of Storm and Sanitary Sewers: Sewers may run in the same easement if adequate separation is provided. Where crossings occur, ductile iron pipe may be required.
  - (2) Accessibility to Public Storm Sewers: Where a public storm sewer is accessible, the developer shall install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provisions shall be made for the disposal or retention of storm waters, subject to the specifications and approval of the City Engineer and Dougherty County Director of Public Works.

- (3) Design Computations: Storm water runoff and storm sewer or channel design shall be performed by a method approved by the City Engineer and Dougherty County Director of Public Works, and a copy of design computations shall be submitted along with the Construction Plans.
  - (4) Existing Drainage-ways: Where a subdivision is traversed by a watercourse, drainageway, canal, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate to accommodate potential volume or flow and maintenance.
  - (5) Ownership of Storm Drainage Retention Ponds and Related Structures except in Major Subdivisions: Ownership of storm drainage retention ponds and related structures shall be retained by the property owner, unless the City Engineer and Dougherty County Director of Public Works determines that the facilities are of such a size that it would necessitate maintenance by either the City or County. In such cases all ponds and related structures shall be dedicated to the applicable jurisdiction. This determination shall be made during the preliminary plat review.
- b. Design Standards: In addition to the above general requirements and the following general design standards, more detailed standards which also apply are contained in the Construction Standards and Engineering Specifications of the City of Albany and Dougherty County.
- (1) Location: The subdivider may be required by the City Engineer and Dougherty County Director of Public Works to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with the Construction Standards and Engineering specifications of the City of Albany and Dougherty County.
  - (2) Accommodation of Upstream Drainage Areas: A culvert or other drainage facility shall in each case be large enough to accommodate existing run-off from its entire upstream drainage area whether inside or outside the subdivision. The City Engineer and Dougherty County Director of Public Works shall approve the necessary size of the facility which has been designed by the subdivider's registered Professional Engineer, based on the 10 year storm. Minimum pipe size shall be 15 inches.
  - (3) Effect on Downstream Drainage Areas: The developer's engineer shall study and review and approve the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. Drainage studies, together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incidental to the development of the subdivision will overload an existing downstream drainage facility, the Planning Commission shall withhold approval of the subdivision until provision has been made for the detention of additional runoff such that existing runoff rates are not exceeded. Drainage design criteria shall be approved by the City Engineer or Dougherty County Director of Public Works. No subdivision shall be approved unless adequate drainage will be provided.

## SECTION H. STREET LIGHTING

- (1) Street lighting shall be installed in all major subdivisions in the City limits of Albany and Dougherty County. The cost of such street lighting shall be determined by the Traffic Engineering Department of the City of Albany and lighting shall be installed by the appropriate utility. The developer shall pay for the cost of installing the street lighting system prior to recording of the final plat.
- (2) In residential subdivisions in the City of Albany, one standard luminary shall be placed at each street intersection, at the terminus of every cul-de-sac, at no more than every 150 feet along residential streets, and at special problem locations. In non-residential subdivisions, spacing and location of light standards shall be required by standards adopted by the City Commission and the street lighting plan of February 1, 1989.
- (3) The construction specifications of the street lighting system shall comply with the requirements of the utility provider.
- (4) All Dougherty County subdivisions involving new streets in residential developments shall be required to certify on the final plat of record that street lighting is provided for in said subdivision in accordance with the following minimum standards:
  - a. Underground Utility
    - (1) Overhead Fixtures
      - (a) Traditional Square Fixture; Decorative light to be used with decorative pole
    - (2) Pole
      - (a) Twenty (20) foot decorative aluminum pole
    - (3) Type of Lamp
      - (a) High-pressure sodium
    - (4) Maximum Distance between Lights
      - (a) Three hundred (300) feet
  - b. Overhead Utility
    - (1) Overhead Fixture
      - (a) Cobra head type fixture
    - (2) Pole
      - (a) Thirty-five (35) foot utility pole
    - (3) Type of Lamp
      - (a) High-pressure sodium
    - (4) Maximum Distance between Lights
      - (a) Three hundred (300) feet

Non-residential subdivisions shall be lighted with spacing and location standards as determined by the Planning Commission.

## **SECTION I. UTILITIES: TELEPHONE, ELECTRIC, GAS AND CABLE**

### **1. General Requirements**

- a. Underground utilities are encouraged but not required.
- b. No paved surfaced street shall be cut for underground utility installations except by permission of the City Engineer or Dougherty County Director of Public Works.
- c. Prior to the commencement of construction, owner's engineer shall locate position of all utility lines on the site and coordinate with the City Engineer or County Public Works Department, Water, Gas and Light Commission, Southern Bell, TCI Cable and other concerned utility companies before construction plans are approved.

### **2. Design Standards**

- a. Utility lines shall be located along the front, side and/or rear of property lines, or at such other locations as may be approved by the utility companies involved and the City Engineer or Dougherty County Director of Public Works.
- b. Additional design and construction standards for utilities, which also apply, are cited in the Construction Standards and Engineering Specifications of the City of Albany and Dougherty County.

## **SECTION J. MONUMENTS AND MARKERS**

### **1. Preservation of Existing Monuments**

All United States, State, County, or other official benchmarks, monuments, or triangulation stations in or adjacent to the subdivision shall be preserved. When a proposed improvement in a subdivision makes necessary the moving of benchmarks, monuments, or stations, the authority having jurisdiction shall be notified and given sufficient time to take appropriate action.

### **2. Placement of New Monuments**

Permanent reference monuments shall be placed at block corners and other points such as street intersections, lot corners, and angle points and shall be marked with a solid iron rod or an iron pipe not less than one-half (1/2) inch in diameter, at least eighteen (18) inches long, driven flush with the ground. Removal and resetting of monuments by anyone other than a registered land surveyor is prohibited. The subdivision will be referenced to the Albany, Dougherty County Coordinate System (ADCCS) under the following circumstances:

- a. Any property corner is within 500 feet of an ADCCS monument.
- b. Any commercial or industrial subdivision of property over ten acres in size must be referenced to an ADCCS monument.

- c. Any residential subdivision of greater than ten acres and five lots or if public streets, water, and/or sewer to be constructed.

Subdivision or re-subdivision of property located in subdivision recorded since January 1, 1978 is exempt from this requirement unless any part of the property is within 500 feet of an ADCCS monument.

If an ADCCS monument is farther than two miles from any part of the subdivision this requirement may be waived upon agreement of the City Engineer and the Director of the Albany Dougherty Planning Commission.

All references to ADCCS monuments are to be established through field surveys with permanent field notes available for inspection and review and with the same degree of accuracy as required for the subdivision.

## **SECTION K. TREE PLANTING AND PRESERVATION**

(See City of Albany Tree Ordinance, #92-124 as amended; No County Standards)

## **SECTION L. PLANNED UNIT DEVELOPMENT**

### **1. General**

Planned Unit Development (PUD) is designed to provide developers with desirable gross densities, while requiring subdivision and site plan patterns to capitalize on topography and site features and to preserve common open space. Also, PUD can provide a variety of different uses and structure types that are effectively combined through the site planning process (see Illustration 4).

### **2. Waiver of Provisions of Subdivision Regulations**

The Zoning Regulations contain provisions for a variety of Residential, Mixed Use, and Commercial PUDs. Provisions of these Subdivision Regulations may be waived by the Planning Commission and/or modified for PUD pursuant to PUD district regulations.

### **3. Design Standards**

PUD design standards are created individually for each development through a review and negotiation process that is designed to consider the unique nature of each PUD project. Design review criteria are based on general planning performance standards, and the criteria established in the applicable district regulations in the Zoning Regulations. The plans submitted and approved for PUD approval shall constitute General Development Plan approval.

## **SECTION M. PLATTING STANDARDS**

1. When lots/tracts are being subdivided from a larger parcel and the total property acreage is 40 acres or greater, the remainder parcel may not be surveyed at the discretion of the City/County Engineer and Planning Director. If not surveyed, the parcel shall be noted "parcel not surveyed at this time."
2. Reference

All subdivisions shall be tied to a street intersection or other permanent corner subject to the approval of the City/County Engineer when a (ADCCS) monument is not available as described in Section J (2).

**ARTICLE V  
(RESERVED)**

**ARTICLE VI**  
**ASSURANCE FOR COMPLETION AND MAINTENANCE OF**  
**IMPROVEMENTS**

**SECTION A. IMPROVEMENTS AND GUARANTEES**

Before the Final Plat is approved by the Planning Commission, the subdivider shall be required to complete, or provide improvement guarantees for all improvements as required in these Regulations. The form of all guarantees shall be approved by the applicable City and/or County Attorney.

- a. Completion of Improvements: The City Engineer or the Dougherty County Director of Public Works shall certify in writing to the Planning Commission that all improvements required by the City or County have been satisfactorily installed or properly guaranteed and a deed submitted.
- b. Improvement Guarantees: The subdivider shall provide improvement guarantees at the time of application for Final Plat approval if all required improvements have not been installed and approved as herein required. Such improvement guarantees shall be approved by the City Engineer or Dougherty County Director of Public Works as to amount and surety and be sufficient to secure to the Board of City Commissioners or Board of Commissioners of Dougherty County the satisfactory completion of all public improvements required by these Regulations. Improvement guarantees may take the form of either a letter of credit, a bond, or a certified check or other form acceptable to the City/County Attorney and the Planning Commission and shall be released only after the City or County has accepted the work.
- c. Costs of Improvements: All required improvements shall be made by the subdivider, at his expense, without reimbursement by the City or County or by any improvements district therein.
- d. Failure to Complete Improvements: In those instances where an improvement guarantee has been posted and required improvements have not been installed within the terms of such guarantees, the City or County shall call the improvement guarantee due and collect all funds or require that all improvements be immediately installed regardless of the extent of the building development at the time the improvement guarantee is declared to be in default. If any of the required improvements have not been constructed in accordance with the City's or County's construction standards and specifications, the subdivider shall be responsible for removing any defects and completing the improvements or forfeiting the guarantee.

## **SECTION B. INSPECTION OF IMPROVEMENTS**

The City Engineer or the Dougherty County Director of Public Works shall provide for inspection of required improvements during and upon their completion and shall approve all such installations to ensure satisfactory compliance with provisions of these Regulations.

## **SECTION C. MAINTENANCE OF IMPROVEMENTS**

The subdivider shall be responsible for maintenance and warranty repairs constructed by the developer for a period of one (1) year from either the completion of construction or the recording of the final subdivision plat, whichever is the latest.

## APPENDIX 2

Listed thoroughfares to which driveway access is restricted or limited by these regulations:

The following list of streets comprises the listed thoroughfares referenced elsewhere within these regulations. Driveway access is restricted or limited on these listed thoroughfares:

Thoroughfare Name	From	To
Antioch Road	Radium Springs Road	Gravel Hill Road
Blue Springs Road	Butternut	Lily Pond road
Branch Road	Cordele Road	Sylvester Road
Byron Plantation Road	Old Dawson Road	Gillionville Road
County Line Road	Harris Road	Moultrie Road
Doles Road	SR 300 (Cordele Rd)	N. County Line Road
Eight Mile Road	Leary Road	Gillionville Road
Empire Avenue	Hardup Road	Blue Springs Road
Fleming Road	County Line Road	Mock Road
Gaissert Road	Fleming Road	Spring Flats Road
Gravel Hill Road	Moultrie Road	Mitchell Co. Line
Hardup Road	Newton Road	Wildfair Road
Harris Road	Cordele Road	County Line Road
Hill Road	Sylvester Road	County Line Road
Holly Drive	Radium Springs Road	Moultrie Road
Honeysuckle	Radium Springs Road	Moultrie Road
Kirksey Road	Harris Road	Doles Road
Lily Pond Road	Old Pretoria Road	M. L. King, Jr. Drive
M. L. King, Jr. Drive	Lily Pond Road	Albany City Limit
Mock Road	Moultrie Road	Albany City Limit
Nelms Road	Radium Springs Road	Moultrie Road
Oakhaven Drive	Old Pretoria Road	Newton Road
Old Dawson Road	Tallahassee Road	Albany City Limit
Old Pretoria Road	Leary Road	Albany City Limit
Radium Springs Road	Albany City Limit	Mitchell Co. Line
Spring Flats Road	Moultrie Road	County Line Road
Spurlock Street	Hill Road	Harris Road
Tallahassee Road	Terrell Co. Line	Gillionville Road
Vanderbilt Drive	Leary Road	Newton Road
Westover Road	Old Pretoria Road	Albany City Limit

### APPENDIX 3

Listed streets within the City of Albany to which driveway access is restricted or limited by Article IV. Section C. h. (5) – (9).

Functional classification of listed streets are designated by U.S. Department of Transportation FHA and shown on Functional Classification Map: Dougherty County Georgia 2005. Any street not listed, but shown on Map (or map in force) is regulated by Article IV. Section C. h. (5) – (9).

#### Urban Principal Arterials

Broad Avenue  
Dawson Road  
Oakridge Drive  
Westover Blvd.

#### Urban Minor Arterials

Blaylock Street  
Broad Avenue  
Byron Road  
Front Street (and proposed extension)  
Gordon Avenue  
Jefferies Avenue  
Jefferson Street  
Lockett Station Road  
Madison Street  
Martin Luther King, Jr. Drive  
Mock Road  
Monroe Street  
Oakridge Drive  
Old Dawson Road  
Old Pretoria Road  
Palmyra Road  
Pine Avenue  
Radium Springs Road  
Seventh Avenue  
Westover Blvd.

#### Collectors

Beattie Road  
Blaylock Street  
E. Doublegate Drive  
Johnson Road  
Lippett Drive  
Maple Street  
Nottingham Way  
Pinson Road  
Rosebrier Avenue  
Turner Field Road  
Westgate Drive  
Westtown Road  
Willie Pitts Road