

CHAPTER 103 – DEVELOPMENT REGULATIONS

ARTICLE I. - IN GENERAL

Sec. 103-1 – Purpose and intent.

These regulations are enacted for the following purposes:

- (1) To encourage economically sound and stable land development;
- (2) To assure the provisions of required streets, utilities, and other facilities and services to land developments;
- (3) To assure the adequate provisions of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land developments, and multifamily improvements;
- (4) To assure the provision of needed public open spaces and building sites in land developments through the dedication or reservation of land for recreational, educational, or other public purposes;
- (5) To assure the control and disposition of surface storm water in new developments and adjacent areas;
- (6) To regulate the location and density of multiple-family developments relative to: capacity of public streets, sewage facilities (public and private), fire safety, and the general environment.

(Res. Of 5-29-1986, § 1.2)

Sec. 103-2 – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building line means a line beyond which no foundation wall or part of the structure of any building shall project, with the exception of roof overhand and the subsurface projection of footings.

Control and disposition of surface storm water means the plan approved by the soil conservation district for the control of storm water, soil erosion and sedimentation, as approved by the planning commission.

Dwelling unit means a building, or part of a building, providing sleeping, cooking, and sanitary facilities for a family unit.

Lot means a portion or parcel of land separated from other portions or parcels by description as on a subdivision plat or record of survey map or as described by metes and bounds, and intended for transfer or for building development. For the purpose of these regulations, the term "lot" does not include any portion of a dedicated right-of-way.

Lot width means the width of the lot at the building line measured parallel to the street right-of-way or in the case of curvilinear street parallel to the chord of the arc between the intersection of the side lot lines and the street right-of-way line.

Multifamily dwelling means any building or combinations of buildings located on the same lot or tract of land, providing living spaces for two or more families.

Planning commission means Town planning and zoning commission.

Street means a way for vehicular traffic, whether designated as an avenue, boulevard, road, highway, expressway, lane, alley, or other divided into the following categories:

- (1) *Major street.* Those streets designated as such on the major road plan of the Town.
- (2) *Collector street.* A street within a subdivision used to carry traffic from the minor streets to the major streets and includes the principal entrance and circulation streets of a subdivision.
- (3) *Minor street.* A street used primarily for access to the abutting properties.
- (4) *Alley.* A minor way used for service access to the back or side of properties otherwise abutting on a street

- (5) *Cul-de-sac.* A minor street having one end open to traffic and the other end permanently terminated in the minimum right-of-way and paved turn-around specified in these regulations.
- (6) *Marginal access street.* A minor street parallel and adjacent to major streets that provides access to abutting properties with protection from through-traffic.
- (7) *Subdivider* means the person, firm or corporation having such a proprietary interest in the land to be subdivided as will authorize the maintenance of proceedings to subdivide such land under these regulations, or the authorized agent of such person, firm or corporation.
- (8) *Subdivision* means all division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy or building development, and includes all division of land involving a new street or a change in existing streets, and includes re-subdivision and, where appropriate to the context, relates to the process of subdividing or to the land or area subdivided. However, the following are not included in this definition:
 - (a) The combination or re-combination of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of these regulations.
 - (b) The transfer of un-subdivided land or the transfer of a lot or parcel of land established by deed or plat recorded in the office of the clerk of the superior Court prior to the effective date of the resolution from which this article is derived.
- (9) The division of land among heirs by judicial decree.
- (10) The transfer of property by the owner to a member of the immediate family within the third degree, provided that no portion is less than five acres.

(Res. Of 5-29-1986, § 2.1)

Sec. 103-3 – Variances.

When, due to the peculiar shape, topography or other unusual physical condition of the tract of land, it is impractical to comply with the literal interpretations of these regulations, the planning commission shall be authorized to vary such requirements provided that the intent and purposes of these regulations are not violated.

(Res. Of 5-29-1986, § 15.1)

Sec. 103-4 – Platting authority.

From and after the passage of these regulations, the planning commission shall be the official platting authority, and no plat of land subdivision shall be entitled to record in the office of the clerk of the Superior Court of Chattooga County unless it shall have the approval of the planning commission inscribed thereon. The filing or recording of a plat or a subdivision without the approval of the planning commission as required by these regulations is declared to be a misdemeanor. These regulations shall govern all subdivisions of land within the incorporate area of Trion, Georgia.

(Res. Of 5-29-1986, § 3.1)

Sec. 103-5 – Transfer of land.

The transfer of, sale of, agreement to sell, or negotiation to sell land by reference to or exhibition of, or other use of a plat of a subdivision that has not been given final approval by the planning commission and recorded in the office of the clerk of the Superior Court of Chattooga County is declared a misdemeanor, and the description by metes and bounds in the instrument of transfer or other document shall not exempt the transaction from such penalties.

(Res. Of 5-29-1986, § 3.2)

Sec. 103-6 – Opening and improving public streets.

The Town shall not accept, lay out, open, improve, grade, pave or light any street which had not attained the status of a public street prior to the effective date of these regulations, unless such street corresponds to the street location shown on an

approved subdivision plat or on an official road map adopted by the planning commission, and is approved in writing by the Mayor and Council.

(Res. Of 5-29-1986, § 3.3)

Sec. 103-7– Erection of buildings.

No building shall be erected on any lot unless the street giving access thereto has been approved in accordance with these regulations, or became a public street prior to these regulations, or is acceptable under these regulations. No constructions will be allowed if, in the opinion of the planning commission, placement of the building on the lot will create a drainage problem on said lot or adjoining property.

(Res. Of 5-29-1986, § 3.4)

Secs. 103-8 – 103-32. Reserved.

ARTICLE II. – PLATTING

DIVISION 1. GENERALLY

Sec. 103-33 – Preapplication review.

Whenever the subdivision of a tract of land is proposed, the subdivider is urged to consult with the planning commission. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed development layout of the subdivision.

(Res. Of 5-29-1986, § 4.1)

Secs. 103-34 – 103-54. Reserved.

DIVISION 2. PROCEDURE FOR TENTATIVE APPROVAL OF PRELIMINARY PLAT

Sec. 103-55 – Application for preliminary plat approval.

Prior to making any street improvement or installing any utilities, the subdivider shall submit to the planning commission, at least 15 days prior to the next regular meeting of the planning commission, the following:

- (1) A letter requesting review and approval of a preliminary plat and giving the name and address of a person to whom the notice of the hearing by the planning commission on the preliminary plat shall be sent.
- (2) Five copies of the preliminary plat and any other related documents.

(Res. Of 5-29-1986, § 5.1)

Sec. 103-56 – Final plat.

Subdivisions which do not involve the platting, construction or opening of new streets, water or sewerage facilities, or improvements to existing streets, shall be reviewed in the form of a final plat if an approved drainage plan has been submitted.

(Res. Of 5-29-1986, § 5.2)

Sec. 103-57 – Review of preliminary plat.

The planning commission shall check the plat of conformance to these regulations and shall afford a hearing on the preliminary plat at next regular meeting.

- (1) The planning commission shall give tentative approval or disapproval to the preliminary plat. A notation of the action shall be made on two copies of the preliminary plat including a statement of the reasons for disapproval if the preliminary plat is disapproved. One copy shall be returned to the subdivider or his agent, and one copy retained by the planning commission.

- (2) Approval of the preliminary plat does not constitute approval of a final plat. It indicates only approval of the layout as a guide to the preparation of the final plat. Preliminary plat approval shall expire and be null and void after a period of one year unless an extension of time is requested by the subdivider or his representative and is approved by the planning commission. No property may be sold or offered for sale until final approval has been granted.
- (3) If some action on a preliminary plat is not taken by the planning commission within 45 days of the date of submittal, the preliminary plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.
- (4) The 45-day rule shall not apply if a regular meeting is held during this time and a representative of the developer is not present to discuss his plan.

(Res. Of 5-29-1986, § 5.3)

Secs. 103-58 – 103-87. Reserved.

DIVISION 3. PRELIMINARY PLAT SPECIFICATIONS

Sec. 103-88 – Scale.

The preliminary plat shall be clearly and legibly drawn at a scale not smaller than 100 feet to one inch.

(Res. Of 5-29-1986, § 6.1)

Sec. 103-89– Sheet size.

Sheet size shall be no greater than 17 by 36 inches. If the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size.

(Res. Of 5-29-1986, § 6.2)

Sec. 103-90– Ground elevations.

The preliminary plat shall show ground elevations, based on the datum plane of the U.S. Coast and Geodetic Survey with contour lines at intervals of not more than five feet. Surveyor shall state on the preliminary plat that he has conducted a field topographical survey.

(Res. Of 5-29-1986, § 6.3)

Sec. 103-91– Information to be provided on preliminary plat.

The preliminary plat shall contain the following information:

- (1) Name and address of owner of record and of subdivider.
- (2) Proposed name of subdivision and its acreage.
- (3) Statement acknowledging having sized the lots in accordance with the county health department and the state department of human resources minimum lot size regulations.
- (4) North point and graphic scale and date.
- (5) Vicinity map showing location and acreage of the subdivision.
- (6) Exact boundary lines of the tract of bearings and distances.
- (7) Names of owners of record of adjoining land.
- (8) Existing streets, utilities and easements on and adjacent to the tract.

- (9) Proposed layout including streets and alleys, to be reviewed by a registered engineer or registered land surveyor, with proposed street names, lot lines with approximate dimensions, easements, land to be used for purposes other than single-family dwellings, and percolation rates and locations as required by the county health department.
- (10) Block number and lot numbers.
- (11) Exact locations and sizes of water supply, public sewers, and utility lines and poles shall be furnished by the appropriate utility.
- (12) Recommendation of soil conservation district on soil erosion, sediment and storm water control. If, in the opinion of the planning commission, such plans are of a questionable nature, review by a registered engineer may be required. The planning commission, in conjunction with the Mayor and Council, will determine size and location of culverts and drainage ditches.
- (13) Minimum building front yard and side yard setback lines; 40 foot front yard; 10 foot side yard.
- (14) Street cross-sections and center-line profiles; including finished elevations.
- (15) The acreage of each drainage area affecting or affected by the proposed subdivision.
- (16) Location of existing streams, lakes, swamps, and land subject to flood as determined from past history of flooding or hydraulic engineering calculations of existing conditions
- (17) Plat shall state whether or not any part of the proposed development lies within the 100-year flood plan as defined by the Federal emergency Management Agency.
- (18) Certification of a registered land surveyor attesting that the preliminary plat has been prepared in conformity with the minimum standards of this resolution.
- (19) Certification directly on the preliminary tracing of approvals of all agencies and utilities whose approval is required by this section.

(Res. Of 5-29-1986, § 6.4)

Sec. 103-92 - Certificate of preliminary approval.

A certificate of approval of the preliminary plat by the planning commission shall be inscribed on the plat as follows:

Pursuant to the land subdivision regulation of Trion, Georgia, all the requirements of preliminary approval having been fulfilled, this preliminary plat was given preliminary approval by the Trion Planning Commission on _____.

This preliminary approval does not constitute approval of a final plat. This Certificate of Preliminary Approval shall expire and be null and void on _____.

Chairman, Trion Planning Commission

Date

(Res. Of 5-29-1986, § 6.5)

Secs. 103-93 – 103-112. Reserved.

DIVISION 4. FINAL PLAT PROCEDURE

Sec. 103-113– Application for final plat approval.

Prior to starting the physical development of all or part of the area shown on the preliminary plat as approved by the planning commission, a final plat together with the required certificates shall be submitted to and approved by the planning commission.

This final plat, when approved by the planning commission and duly signed, will become the instrument to be recorded in the office of the clerk of the Superior Court of Chattooga County, Georgia.

A letter requesting review and approval of the final plat and giving the name and address of the person to whom the notice of the hearing by the planning commission on the final shall be sent. Request shall be made at least 15 days prior to the next scheduled meeting.

Five copies of the final plat and other related documents, as specified in this division.

(Res. Of 5-29-1986, § 7.1)

Sec. 103-114– Review of final plat.

The planning commission shall check the final plat for conformance with the tentatively approved preliminary plat, using the rules and regulations of such, and shall afford a hearing on the final plat at the next scheduled meeting.

The planning commission shall approve and disapprove the final plat. A notation of the action shall be made on the original tracing and two prints of the final plat, including a statement of the reasons therefore if the final plat is disapproved.

If action is not taken by the planning commission within 45 days of the date of the submittal, the final plat shall be considered approved and a certificate of approval shall be issued on demand. However the applicant for approval may waive this requirement and consent to an extension of time. The 45-day rule shall not apply if a regular meeting is held and the applicant does not appear to discuss his plan.

(Res. Of 5-29-1986, § 7.2)

Sec. 103-115– Recording of final plat.

Upon approval of a final plat, the subdivider shall have the final plat recorded in the office of the clerk of Superior Court of Chattooga County.

(Res. Of 5-29-1986, § 7.3)

Sec. 103-116– Changes to final plat.

If it should become necessary to vary from the details of the approved final plat, a revised final plat will be prepared and submitted for approval. In all cases, a revised final plat will be submitted to document any changes to or variations from the approved and recorded plat.

(Res. Of 5-29-1986, § 7.4)

Secs. 103-117 – 103-145. Reserved.

DIVISION 5. FINAL PLAT SPECIFICATIONS

Sec. 103-146– Final plat shall conform to and meet the specifications.

The final plat shall conform to and meet the specifications of the preliminary plat, with the following additions:

- (1) The final plat shall be clearly and legibly drawn in permanent ink on tracing cloth or other approved material. Sheet sizes shall be 17 by 21 inches, and where more than one sheet is required an index map shall be required on the same size sheet. The final plat shall show:
- (2) Bearings and distances to the nearest existing street lines or bench marks or other permanent monuments (not less than three) shall be accurately described on the plat.
- (3) Municipal, county and land lot lines accurately tied to the lines of the subdivision by distances and angles when such lines traverse or are reasonably close to the subdivision
- (4) Exact boundary lines of the tract, determined by a field survey

- (5) Name of subdivision, exact location widths, and names of all streets and alleys within and immediately adjoining the plat.
- (6) Street center-lines showing angles of deflection, angles of intersection, radii, and lengths of tangents
- (7) Lot lines with dimensions to the nearest one-tenth foot and bearing to the nearest minute.
- (8) Lots numbered in numerical order and blocks lettered alphabetically.
- (9) Location, dimensions, and purposes of any easements and any areas to be reserved or dedicated for public use.
- (10) Accurate location, material, and description of monuments and markers.
- (11) Certification by a registered land surveyor directly on the plat attesting to the accuracy of the survey, plat and placement of monuments.
- (12) Certification by the landowner, attached to the final plat, setting forth the description of the areas and improvements he dedicates to the public including streets, alleys, walkways and other open spaces.
- (13) Certification by the county health department directly on the plat that eh water and sewerage systems meet the requirements of health department regulations
- (14) Certification by the Mayor and Council of the Town that all improvements have been installed or that surety in an amount sufficient to assure the completion of all required improvements has been received.
- (15) Certification of approval, directly on the plat, by the planning commission that all requirement of the resolution have been met and that the plat is approved for recording in the office of the clerk of the Superior Court of the county.
- (16) Certification of the soil conservation district that an approved soil erosion and sedimentation control plan has been secured.

(Res. Of 5-29-1986, § 8.1)

Sec. 103-147– Dividing a parcel into two lots.

When dividing a parcel into two lots, the subdivider shall submit to the planning commission, at least fifteen days prior to the regular monthly meeting, the following items as described in subsection 103-146 (1), (12), (13), (14) and (16), as well as any other information deemed necessary by the planning commission.

(Res. Of 5-29-1986, § 8.2)

Secs. 103-148 – 103-177. Reserved.

ARTICLE III. – GENERAL DESIGN REQUIREMENTS

Sec. 103-178 – Suitability of land.

Land subject to flooding, improper drainage, erosion, or that is for topographical or other reasons unsuitable for residential use, shall not be platted for residential or nay other use that will continue or increase the danger to health, safety, or property destruction, unless the hazards can be and are corrected.

(Res. Of 5-29-1986, §9.1)

Sec. 103-179– Name of subdivision.

The name of the subdivision must have the approval of the planning commission. The name shall not duplicate nor closely approximate the name of an existing subdivision.

(Res. Of 5-29-1986, § 9.2)

Sec. 103-180– Access.

All lots shall be located so as to gain access over a public street, and unless specifically approved by the planning commission, each lot shall abut directly on the public street.

The planning commission may allow two or more lots to access the public road by means of a private road if all involved property owners unanimously agree in writing that the ownership and maintenance shall remain private forever. The plat and all deeds and land transfer documents shall so state prominently.

(Res. Of 5-29-1986, § 9.3)

Sec. 103-181– Conformance to adopted major thoroughfare and other plans.

All streets, thoroughfares, and other features of the major thoroughfare plan of the county shall be taken into consideration by the subdivider.

(Res. Of 5-29-1986, §9.4)

Sec. 103-182– Dedication of land to public use not suitable.

Whenever a plat proposes the dedication of land to public use that the planning commission finds not required or suitable for such public use the planning commission shall refuse to approve the plat, and shall notify the governing body of the reasons for such action.

(Res. Of 5-29-1986, § 9.5)

Sec. 103-183– Large-scale developments.

The requirements of these regulations may be modified in the case of a large-scale community or neighborhood unit, such as a housing project or shopping center, that is not subdivided into customary lots, blocks, or streets, if the development is approved by the planning commission and if it is in conformity with the purpose and intent of these regulations.

(Res. Of 5-29-1986, § 9.6)

Sec. 103-184– Multi-family.

The following are general design parameters for the construction of multifamily developments:

- (1) All units shall be constructed to the fire safety and fire separation standards as defined in the Standard Building Code, 1984 edition, as revised in 1985.
- (2) Each multifamily development must abut directly on a collector street or be within 250 feet (measured along the street) of an existing major street. Street designations are those of the 2000 Comprehensive Plan for Chattooga County.
- (3) There shall be two paved parking spaces (off-street) for each dwelling unit.
- (4) Building line setback as defined in Appendix A to this Code, pertaining to zoning.
- (5) Provisions for public water supply shall be made. Health department approval for sewer or septic tank service must be received and lot sizes mad according to their regulations.
- (6) Each development shall have eight percent of the site devoted to outdoor recreation; developed and maintained by the owner. Parking area and driveways are not counted toward the eight percent area. Yard spaces of the individual units may count for not more than 50 percent of the required space.
- (7) Areas of entry; such as, exterior walks, courtyards or interior corridors, that are used by more than one dwelling unit shall be lighted by the owner to a five-foot candle exterior or 15 foot candle interior level. Walks serving only dwelling may be lighted by a light assigned to and controlled by the individual dwelling unit.

- (8) The installation of plumbing, electrical and heating systems will be governed by the Southern Plumbing Code, National Electric Code, and the American Gas Codes, respectively. All work is to be done by licensed contractors.
- (9) The owner shall be responsible for maintaining health and sanitary places of abode both inside the unit and upon the grounds.
- (10) This article is not all-inclusive. Refer to the remainder of the regulations for applicable portions.
- (11) The owner/developer shall submit a site plan, showing by metes and bounds, the locations of all proposed buildings or other structures to be located on the site. This location plan may not be altered or varied without planning commission approval.
- (12) In order to provide for the safe access for fire, police and ambulance equipment on-street parking will not be allowed on any street, public or private. It shall be the responsibility of the owner to monitor parking and prevent on-street parking by his tenants.

(Res. Of 5-29-1986, § 9.7)

Secs. 103-185 – 103-206. Reserved.

ARTICLE IV. – GENERAL REQUIREMENTS FOR STREETS AND OTHER RIGHTS-OF-WAY

Sec. 103-207 – Continuation of existing streets.

Existing streets shall be continued at the same or greater width, but in no case less than the required width.

(Res. Of 5-29-1986, § 10.1)

Sec. 103-208 – Street names.

Street names shall require the approval of the planning commission. Streets that are obviously in alignment with streets already existing and named shall be given the name of the existing street. Names of new streets shall not duplicate or closely approximate those of existing streets. Approved street name markers shall be placed at the intersection of all involved streets. The developer shall furnish and install signs are required by Article V.

(Res. Of 5-29-1986, § 10.2)

Sec. 103-209 – Street jogs.

Street jogs with center-line offsets of less than 125 feet shall not be permitted.

(Res. Of 5-29-1986, § 10.3)

Sec. 103-210 – Cul-de-sacs.

Except where topographic or other conditions make a greater length unavoidable, cul-de-sacs, or dead-end street, shall not be greater in length than 500 feet. They shall be provided at the closed end with a turnaround having a property radius of at least 40 feet with an outside pavement radius of at least 30 feet. Temporary turnarounds shall be provided for dead-end streets to be extended at a later date.

(Res. Of 5-29-1986, § 10.4)

Sec. 103-211 – Development along major street, limited-access highway or railroad right-of-way.

Where a subdivision abuts or contains a major street, a limited-access highway, or railroad right-of-way, the planning commission may require a street approximately parallel to and on each side of such right-of-way either as a marginal access street, or at a distance suitable for an appropriate use of the intervening land, with a non-access reservation. Due regard should be given to requirements for approach grades and future grade separation in determining distances. Such lots shall have no access to a major street or limited-access highway, but only to the access street.

(Res. Of 5-29-1986, § 10.5)

Sec. 103-212 – Alleys.

Alleys may be required at the rear of all lots used for multi-family, commercial, or industrial developments. Alleys in residential subdivisions shall not be permitted, unless the subdivider provides evidence satisfactory to the planning commission of the need for alleys.

(Res. Of 5-29-1986, § 10.6)

Sec. 103-213 – Easements.

Easements having a minimum width of ten feet and located along the rear lot lines shall be provided for utility lines and underground mains and cables.

Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water or drainage system of adequate size, as determined by the soil erosions, sedimentation and storm water control regulations.

The planning commission will require a minimum ten foot easement between lots to be divided equally among the lots. If, in the opinion of the planning commission, a larger easement is needed for public authorities to clean the drain-ways, the plat will be amended accordingly, Natural waterways will not be altered by streets, lot lines and easements, or the placement of the house on the lot, unless first approved in writing by the planning commission.

(Res. Of 5-29-1986, § 10.7)

Secs. 103-214 – 103-234. Reserved.

ARTICLE V. – STREET DESIGN REQUIREMENTS

Sec. 103-235 – Street right-of-way widths.

The right-of-way width shall be the distance across a street from property line to property line. Minimum street right-of-way widths shall be as follows:

- (1) Major street widths as required by the state department of transportation.
- (2) Collector streets, 50 feet.
- (3) Minor streets and dead-end streets, 50 feet; ;cul-de-sacs, 40 feet.
- (4) Alleys, 24 feet.

(Res. Of 5-29-1986, § 11.1)

Sec. 103-236 – Street pavement widths.

Street pavement widths shall be as follows:

- (1) Major street widths as required by the state department of transportation.
- (2) Collector streets, 26 feet with curbs and gutters; 24 feet and three-foot shoulders without curbs and gutters.
- (3) Minor streets and dead-end streets, 26 feet with curbs and gutters; 20 feet and three-foot shoulders without curbs and gutters.
- (4) Alleys, 20 feet.

(Res. Of 5-29-1986, § 11.2)

Sec. 103-237 – Street grades.

Maximum and minimum street grades shall be as follows:

- (1) Major street widths as required by the state department of transportation.
- (2) Collector streets, not in excess of 20 percent for the first 300 feet and 18 percent for the remainder.
- (3) Minor streets and dead-end streets and alleys, not in excess of 20 percent for the first 300 feet and 18 percent for the remainder.
- (4) No street grade shall be less than one-half of one percent.

(Res. Of 5-29-1986, § 11.3)

Sec. 103-238 – Horizontal curvature.

The minimum radii of center-line curvature shall be as follows:

- (1) Major street widths as required by the state department of transportation.
- (2) Collector streets, 200 feet.
- (3) Minor streets and dead-end streets and alleys, 100 feet.

(Res. Of 5-29-1986, § 11.4)

Sec. 103-239 – Tangents.

Between reverse curves, there shall be tangent having a length not less than the following:

- (1) Major street widths as required by the state department of transportation.
- (2) Collector streets, 100 feet.

(Res. Of 5-29-1986, § 11.5)

Sec. 103-240 – Vertical alignment.

Vertical alignment shall be such that the following are met:

- (1) Major streets shall have a sight distance of at least 500 feet at four feet above ground level.
- (2) Collector streets shall have a sight distance of at least 200 feet at four feet above ground level.

(Res. Of 5-29-1986, § 11.6)

Sec. 103-241 – Street intersections.

Street intersections shall be as nearly at right angles as possible. No street intersection shall be at an angle of less than 60 degrees. All connections or intersections to existing roads shall be approved by the Mayor and Council of the Town.

(Res. Of 5-29-1986, § 11.7)

Sec. 103-242 – Curb-line radius.

The curb-line radius at street intersection shall be at least 20 feet. Where the angle of street intersection is less than 90 degrees, a longer radius may be required.

(Res. Of 5-29-1986, § 11.8)

Sec. 103-243 –Traffic control signage.

The developer shall install traffic control signs in accordance with the State Manual on Uniform Traffic Control Devices.

(Res. Of 5-29-1986, § 11.9)

Sec. 103-244 – Street surface water control.

The developer shall install such drainage structures, tile, catch basins, etc., as determined by the Mayor and Council.

(Res. Of 5-29-1986, § 11.10)

Secs. 103-245 – 103-266. Reserved.

ARTICLE VI. – DESIGN STANDARDS FOR BLOCKS AND LOTS

Sec. 103-267 – Block lengths and widths.

Block lengths and widths shall be as follows:

- (1) Blocks shall not be greater than 1,800 feet or less than 600 feet in length, except in unusual circumstances.
- (2) Blocks shall be wide enough to provide two tiers of lots of minimum depth except where abutting upon major streets, limited-access highways, or railroads or where other situations make this requirement impractical.

(Res. Of 5-29-1986, § 12.1)

Sec. 103-268 – Lot design criteria.

Residential lots shall meet lot width and area requirements stated in Appendix A to this Code, pertaining to zoning. Additionally, lots shall not be less than 100 feet wide at the building line. Minimum frontage for a lot located on a cul-de-sac shall be 70 feet, measured along the arc.

Residential lots served by septic tanks shall have an area not less than the minimum size allowed by the current regulations of the county health department, based on the state department of human resources regulations involving soil type and slope for septic tanks, and must be approved by the Town Council. In the case of multiple family developments, where all environmental considerations are favorable, the planning commission may approve a smaller tract of land.

Residential lots on approved public sewer systems shall have an area not less than 12,000 square feet.

Multiple dwellings may be allowed on a lot provided the total square footage called for in Section 103-269 and/or section 103-270 can be provided for each unit, and the dwellings are not for rental purposes.

In cases of sick or aged relatives or of extreme hardship, the planning commission may grant a temporary variance so long as the health department regulations can be met.

Commercial, multifamily and industrial lots shall be adequate to provide service areas and off-street parking suitable to the use intended.

Residential corner lots shall have adequate width to meet building setback requirements from both abutting streets.

Any lot rated as “severe” by the soil conservation service specifications for septic tanks shall not be suitable for constructions.

(Res. Of 5-29-1986, § 12.2)

Sec. 103-269 – Lot lines.

All lot lines shall be perpendicular or radial to street lines, unless not practicable because of topographic or other features.

(Res. Of 5-29-1986, § 12.3)

Sec. 103-270 – Building lines.

Minimum building line setback requirements from right-of-ways are established in Appendix A to this Code, pertaining to zoning. Refer to Appendix A to this Code for minimum yard requirements.

(Res. Of 5-29-1986, § 12.4)

Sec. 103-271 – Lots abutting public streets.

Each lot shall abut upon a dedicated public street, except as noted in Article III of this chapter.

(Res. Of 5-29-1986, § 12.5)

Sec. 103-272 – Double and reverse frontage lots.

Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.

(Res. Of 5-29-1986, § 12.6)

Secs. 103-273 – 103-292. Reserved.

ARTICLE VII. – REQUIRED IMPROVEMENTS

Sec. 103-293 – Street improvements and utilities.

Every subdivider shall plan for and provide the following street improvements and utilities:

- (1) Street grading and street base and paving, except on major or limited-access streets.
- (2) Street based and paving requirements by the county are as follows: six-inch water bound base, triple surface treatment to meet state department of transportation requirements.
- (3) Use of septic tanks shall be approved by the county health department per the regulations of the state department of human resources in effect at the time, as well as by the Town Council. This approval will be for the development in general; a separate permit must be obtained on a lot-by-lot basis
- (4) Sanitary sewers and manholes where applicable shall be approved by the state department of natural resources.
- (5) Storm drainage facilities, monuments, marker and street signage shall be certified by the Mayor and Council.
- (6) All utilities to be installed in the streets shall be placed and compacted prior to paving.
- (7) Any developer or group of property owners wishing to locate on private road must comply with Articles III and VI of this chapter.

(Res. Of 5-29-1986, § 13.1)

Secs. 103-294 – 103-319. Reserved.

ARTICLE VIII. – SURETY FOR COMPLETION OF IMPROVEMENTS

Sec. 103-320 – Surety bond.

In lieu of completion of the required improvements in a subdivision, the subdivider may deposit surety for the completion of such improvements as are shown on the final plat, which has been submitted for final approval.

(Res. Of 5-29-1986, § 14.1)

Sec. 103-321 – Requirements.

To assure the construction and installation of required improvements, the subdivider shall deliver to the Mayor and Council a certified check, surety bond or other acceptable security in such aggregate amount as is estimated by the Mayor and Town Council to be the total cost of the construction and installation of all public improvements for which the subdivider is responsible.

(Res. Of 5-29-1986, § 14.2)

Sec. 103-322 – Conditions.

Bonds or other surety posted shall be payable to the Town and provide that the subdivider, his heirs or successor and assigns, and their agents and servants, will comply with all applicable terms, conditions, provisions, and requirements of these regulations and any other applicable requirements; will faithfully perform and complete the work of constructing and installing said facilities or improvements in accordance with these regulations and any other applicable requirements; and that the subdivider shall be responsible to the Town for any unnecessary expenses incurred through the failure of the subdivider, his heirs, successor and assigns, or their agents or servants, to complete the work of said construction in an acceptable manner, and from any damages growing out of the negligence in performing or failing to perform said construction and installation. Before acceptance, any surety shall be approved by the Town. If a bond is offered, it shall be executed by a surety or guaranty company qualified to transact business in this state.

(Res. Of 5-29-1986, § 14.3)

Sec. 103-323 – Duration and release.

Bonds and/or surety posted pursuant to these regulations shall be released or returned as the case may be, at such time as the facilities as guaranteed thereby have been installed and accepted. Acceptances shall be in writing accurately identifying the improvements covered. Facilities shall not be accepted unless they conform to the applicable Town specifications and requirements.

(Res. Of 5-29-1986, § 14.4)

Sec. 103-324 – Default.

If the construction or installation of any improvements or facilities for which a bond or other surety is posted is not completed within three months after substantial completion of any buildings or structures which said improvements or facilities are designed to serve, or within one year after the date of recording of the final plat, whichever is sooner, or if said construction or installation is not in accordance with applicable standards, the Town may proceed to construct, install, or modify said improvements or facilities in accordance with the applicable specifications and requirements using the proceeds from such surety deposits to pay for such work. Such work may be done under contract or by Town personnel. To the extent that any portion of a cash deposit is not required or used, said excess cash shall be repaid to the person making the deposit.

(Res. Of 5-29-1986, § 14.5)

Sec. 103-325 – Certification of receipt of surety for requirement improvements.

The following form shall be printed directly on the final plat, where a preliminary plat is not used:

I hereby certify that a security bond or certified check in the amount of \$_____ has been received to assure completion of all required improvements in the subdivision plat attached hereto in the event of default by the developer.

_____ Date

_____ Signature

_____ Title

(Res. Of 5-29-1986, § 14.6)