

ARTICLE I SHORT TITLE, PURPOSE AND INTENT

Section 101. Short Title.

These regulations are known and may be cited as the "Subdivision and Land Development Regulations of the City of Cornelia."

Section 102. Purpose and Intent.

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

- (a) To protect and promote the health, safety and general welfare of the residents of the City;
- (b) To encourage economically sound and stable land development;
- (c) To assure the provision of required streets, utilities, and other facilities and services to new land developments in conformance with public improvement plans of the City;
- (d) To assure adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in new land developments, especially for the purposes of assuring that all building lots will be accessible to fire fighting equipment and other emergency and service vehicles;
- (e) To assure the provision of needed open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes;
- (f) To assure the adequate provision of water supply, storm water drainage, sanitation, lighting, and other necessary improvements;
- (g) To assure equitable handling of all subdivision plans by providing uniform procedures and standards for the subdivider and land developer;
- (h) To assure, in general, the wise development of new land areas, in harmony with the comprehensive plan of the community;
- (i) To assure the accurate description of property and adequate and proper identification of property in public records;
- (j) To help conserve and protect the natural, economic and scenic resources of the community;
- (k) To help eliminate the costly maintenance problems which develop when streets and lots are laid out without proper consideration given to various public purposes;
- (l) To protect lot purchasers who generally lack the specialized knowledge to evaluate subdivision improvements and design.

Section 103. Authority.

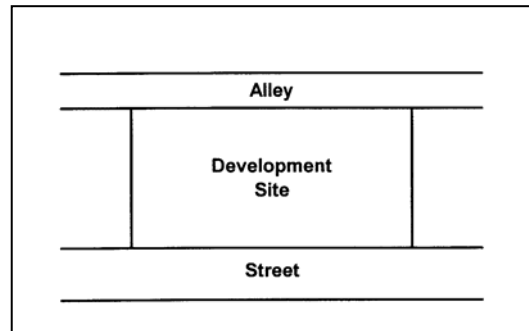
These regulations are adopted pursuant to powers vested in cities by the State of Georgia Constitution, home rule powers, state administrative rules for the adoption and implementation of Comprehensive Plans, and the protection of vital areas of the State.

ARTICLE II DEFINITIONS

Except as specifically defined herein, all words used in these Regulations have their customary dictionary definition. Words used in the present tense include the future; words in the singular include the plural number and words in the plural include the singular; the word "building" includes the word "structure"; the word "shall" is mandatory and not directory. The word "may" is permissive.

Administrative Officer: The City Manager of the City of Cornelia, or authorized representative.

Alley: A public or private thoroughfare which affords only a secondary means of access to abutting property.



Appeal: A request for a review of an administrative official's interpretation of any provision of this ordinance, or an action taken by an administrative official in the application or enforcement of this ordinance.

Block: A piece or parcel of land entirely surrounded by public streets.

Building: Any structure, either temporary or permanent, above or below ground, having a roof or other covering, and designed, built, or used as a shelter or enclosure for persons, animals or property of any kind, including tents, awnings, or vehicles used for purposes of a building.

Building Setback Line: A line establishing the minimum allowable distance between the buildings, including any covered porches, and the street right-of-way or property line when measured perpendicularly thereto. In the case of corner lots or double frontage lots, front yard requirements shall be observed for those areas adjacent to street right-of-ways.

Centerline of Street: That line surveyed and monumented by the Governing Body and designated as the center of a public street. If a centerline has not been surveyed, it shall be the line running midway between the outside curbs, ditches or pavement/improvement ends of such street, or such midway line extended.

City: The City of Cornelia, Georgia.

City Attorney: The Attorney of the City of Cornelia.

City Engineer: The Engineer of the City of Cornelia, or his authorized representative.

Comprehensive Plan: Those coordinated plans or portions thereof which have been prepared by or for the Governing Body for the physical development of the jurisdiction; or any plans that designate plans or programs to encourage the most appropriate use of the land in the interest of public health, safety and welfare.

Conservation: The management of natural resources to prevent waste, destruction, or degradation.

Conservation areas, primary: Any property qualifying as conservation use property under O.C.G.A. Section 48-5-7.4; and any steep slopes, floodplains, wetlands, water bodies, upland buffers around wetlands and water bodies, critical wildlife habitat, and sites of historic, cultural, or archaeological significance, located outside of building envelopes and lots established for building purposes.

Conservation areas, secondary: Prime farmland, natural meadows, mature woodlands, farm fields, localized aquifer recharge areas, and lands containing scenic views and sites, located outside of building envelopes and lots established for building purposes.

Conservation easement: A legally enforceable agreement between a property owner and the holder of the easement, with content meeting requirements of Georgia law and in a form acceptable to the City Attorney and recorded in the office of the Clerk of Superior Court of Habersham County. A conservation easement restricts the existing and future use of the defined tract or lot to conservation use, agriculture, passive recreation, or other use approved by the Governing Body and prohibits further subdivision or development. Such agreement also provides for the maintenance of open spaces and any improvements on the tract or lot. Such agreement cannot be altered except with the express written permission of the easement holder and any other co-signers. A conservation easement may also establish other provisions and contain standards that safeguard the tract or lot's special resources from negative changes.

Conservation subdivision: A subdivision where open space is the central organizing element of the subdivision design and that identifies and permanently protects all primary and all primary conservation areas and all or some of the secondary conservation areas within the boundaries of the subdivision.

Corridor Map: A map adopted by the city which designates land to be reserved for the construction of future or improvement of existing transportation facilities and future parks, open spaces, and greenspaces.

Cross-section: A profile of the ground surface perpendicular to the center line of a road, stream, or other feature.

Cul-de-sac: A street having one end open to traffic and being permanently terminated at the other end by a vehicular turn-around.

Cul-de-sac, Temporary: A non-permanent vehicular turn-around located at the termination of a street.

Curb: A boundary, usually constructed of concrete, usually marking the edge of a roadway or paved area, which is designed to channel stormwater to drainage inlets and/or prevent or deter access.

Curb Cut: A provision for vehicular ingress and/or egress between property and an abutting street.

Curb radius: The curved edge of a street at street intersections.

Deceleration Lane: An added roadway lane, of a specified distance and which may include a taper, as approved by the City Engineer, that permits vehicles to slow down and leave the main

vehicle stream.

Dedication: The deliberate appropriation of land by an owner for any general and public use or purpose, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

Dedication Plat: A plat that indicates property to be dedicated for public right-of-way or land for public use.

Detention: The temporary retraining of stormwater on-site.

Detention pond: A pond or pool used for the temporary storage of stormwater runoff and which provides for the controlled release of such stormwater.

Development: Any man-made change of improved or unimproved real estate, including but not limited to, buildings, structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Development permit: Approval by the Administrative Officer to proceed with development. For purposes of this ordinance, the development permit required by this ordinance shall be the same as (or coordinated with) the permit required for compliance with Soil Erosion and Sedimentation Control regulations of the Cornelia City Code and the development permit required by the City of Cornelia Zoning Ordinance.

Development plan: Any plan containing substantial information required to be filed by this ordinance, which shows how the property to be affected by the development will be changed and improved in a specific manner, including the installation of roads and utilities and the erection of buildings and structures, among other specific requirements.

Drainage structure: A device composed of a virtually nonerodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for storm-water management, drainage control, or flood control purposes.

Easement: A non-possessory interest in land; a grant by a property owner for the use by the public, a corporation or persons, of a portion of land for a specified purpose or purposes.

Escrow Account: A type of subdivision improvement guarantee where the subdivider deposits either cash, a note, a bond, or some other instrument readily convertible to cash for specific face value specified by the City Engineer to cover the costs of required improvements.

Fire flow: The flow of water required to extinguish the largest probable fire served by a water facility.

Governing Body: The Mayor and City Commission of Cornelia, Georgia.

Gradient: The rate of vertical change between two distance points, determined by dividing the vertical distance by the horizontal distance (i.e., rise over run).

Greenway: A linear park or open space conservation area that provides recreational opportunities, pedestrian and/or bicycle paths, and/or conservation of open spaces or natural areas.

Habitat for endangered or threatened species: An area verified by the Georgia Department of Natural Resources as 1) actually containing naturally occurring individuals of a species that has been listed as endangered or threatened under the Federal Endangered Species Act, as amended, and 2) being likely to support the continued existence of that species by providing for a significant portion of that species' biological requirements.

Homeowners Association: An organization formed for the maintenance and operation of the common areas of a development, where membership in the association is automatic with the purchase of a dwelling unit or lot within the development, with the ability to legally assess each owner of a dwelling unit or lot and which has authority to place a lien against all dwelling units and lots within the development.

Land Disturbing Activity: Any grading, scraping, excavating, or filling of land; clearing of vegetation; any other alteration of land which causes land and stream bank erosion, siltation or water pollution; and any construction, rebuilding or alteration of a structure.

Letter of Credit: A type of subdivision improvement guarantee whereby a subdivider secures an instrument from a bank or other institution or from a person with resources sufficient to cover the cost of improvements required by the city. The instrument pledges the creditor to pay the cost of improvements in case of default by the subdivider.

Lot: A portion or parcel of land intended as a unit for transfer of ownership or for development or both, intended to be devoted to a common use or occupied by a building or group of buildings devoted to a common use, and having principal frontage on a public street or an approved private street. In determining the area and dimension of a lot, no part of the right-of-way may be included.

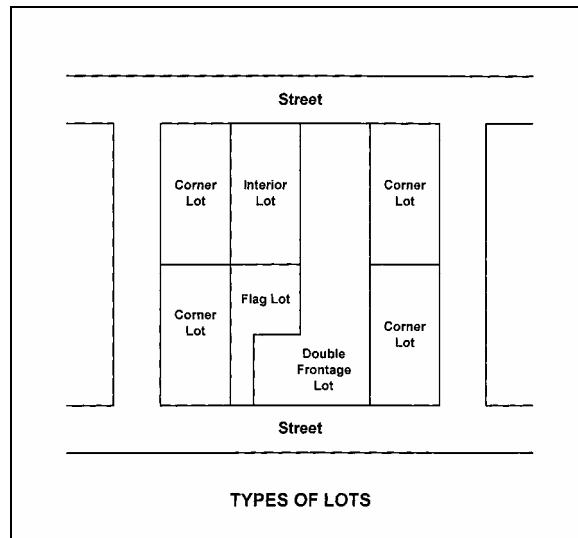
Lot of Record: A parcel of land within the city limits which was properly platted and recorded in the Superior Court Clerk of Habersham County's Plat and Deed records as of the effective date of this ordinance, or which was lawfully subdivided prior to annexation into the City limits.

Lot Area: The total horizontal area within the lot lines of a lot, exclusive of public street right-of-ways.

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

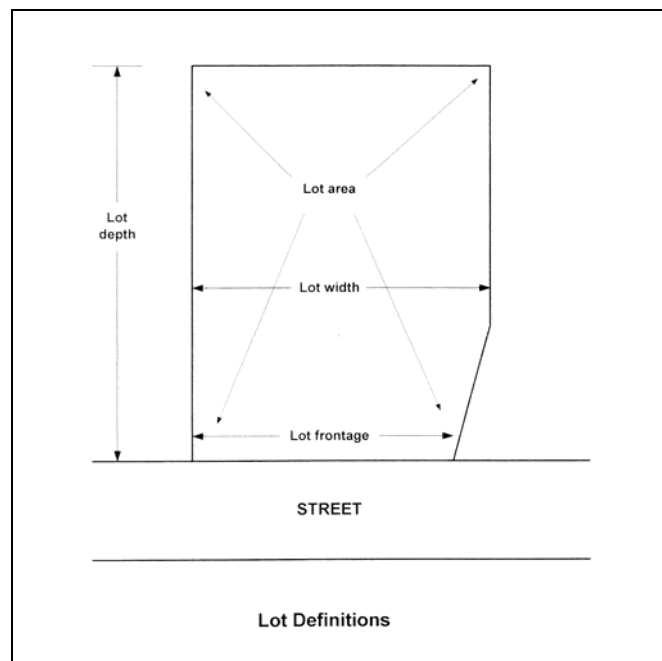
Lot, Depth: The average horizontal distance between the front and rear lot lines.

Lot, Double Frontage: A lot other than a corner lot which has frontage upon two or more streets that do not intersect at a point abutting the property.



Lot, Flag: A tract or lot of land of uneven dimensions in which the portion fronting on a public street is less than the required minimum width for construction of a building or structure on that lot.

Lot, Frontage: The width in linear feet of a lot where it abuts the right-of-way of any public street.



Lot, Width: The distance between side lot lines measured at the regulatory/required building line.

Metes and Bounds: A system of describing and identifying land by distances or measures (metes) and bearings or direction (bounds) from an identifiable point of reference, such as a monument or other marker or the corner of intersecting streets.

Open space: Land and water areas retained for use as passive recreation areas or for resource protection or conservation in an essentially undeveloped state. In the context of Article X of this

ordinance, open space shall mean any combination of primary conservation areas and secondary conservation areas, as defined in this Article, that together form a permanent, undivided or relatively undivided, undeveloped area.

Pavement width: The width of a given lane, road, or other road pavement width, measured from back-of-curb to back-of-curb, or to the edge of pavement where no curbs are required or exist.

Performance bond: A type of subdivision improvement guarantee in the form of a bond, secured by the subdivider from a bonding company, in an amount specified by the City Engineer to cover the costs of required improvements, and payable to the City. The City may call in the performance bond in the event the subdivider defaults on required improvements.

Plat, Final: A finished drawing of a subdivision showing completely and accurately all legal and engineering information, certification, and all other elements and requirements set forth in this ordinance and O.C.G.A. 15-6-7, prepared for filing for record with the Clerk of the Habersham County Superior Court.

Plat, Preliminary: A drawing which shows the proposed layout of a subdivision in sufficient detail to indicate its general design.

Professional Engineer: An engineer duly registered or otherwise authorized by the State of Georgia to practice in the field of civil engineering.

Protective Covenants: Contracts made between private parties as to the manner in which land may be used, with the view toward protecting and preserving the physical and economic integrity of any given area.

Rational formula: A method of calculating the total amount of stormwater runoff a given project will generate within a certain period of time, represented by the following formula:

$Q = CIA$, where

Q = maximum amount of runoff in cubic feet per second (Q accounts for both quantity and rate)

C = average runoff coefficient for the entire site

I = intensity of rainfall in inches per hour

A = total area to be drained in acres

Recreation, active: Leisure activities that are facility oriented, such as swimming pools, tennis courts, and ball fields.

Recreation, passive: Leisure activities that are natural resource oriented, such as hiking trails, conservation areas, and nature preserves.

Registered Land Surveyor: A surveyor duly registered or otherwise authorized by the State of Georgia to practice in the field of land surveying.

Reservation: A method of holding land for future public use by showing proposed public areas on a subdivision plat.

Reserve Strip: A strip of land across the end of, or along the edge of, a street, alley, or lot for the purpose of controlling access which is reserved or held until future street extension or widening.

Resubdivision: The act of changing an existing lot created by a plat and recorded in the Office of the County Superior Court Clerk of Habersham County, Georgia.

Retention: The permanent maintenance of stormwater on-site.

Retention pond: A pond or pool used for the permanent storage of stormwater runoff.

Right-of-way, public: That area, distinguished from an easement or private road right-of-way, which is owned in fee-simple title by the Governing Body or other government, for the present or future use of roads, roads and highways, together with its drainage facilities and other supporting uses and structures.

Right-of-way, private: That area, distinguished from an access easement or public right-of-way, dedicated to property owners of the subdivision involved or to other individuals, and which affords permanent access to abutting property or properties. A private right-of-way is distinguishable from a public road right-of-way in that maintenance and ownership of the road and accessory improvements is by private individuals or an association rather than the Governing Body or another government.

Riprap: Rocks, rubble, or stones, irregularly shaped and at least six inches in diameter, used for erosion control and soil stabilization.

Roadway drainage structure: A device such as a bridge, culvert, or ditch, composed of a virtually nonerodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Runoff coefficient: Ratio of the amount of rain which runs off a surface to that which falls on it; a factor from which runoff can be calculated.

Scenic views and sites: Those geographic areas containing visually significant or unique natural features, as identified in the city's Comprehensive Plan, or by other reasonable means.

Sensitive natural areas: Any area, as identified now or hereafter by the Georgia Department of Natural Resources, which contains one or more of the following: habitat, including nesting sites, occupied by rare or endangered species; rare or exemplary natural communities; significant landforms, hydroforms, or geological features; or other areas so designated by the Department of Natural Resources; and which is sensitive or vulnerable to physical or biological alteration.

Septic tank: An approved watertight tank designed or used to receive sewage from a building sewer and to affect separation and organic decomposition of sewerage solids, and discharging sewage effluent to an absorption field or other management system.

Sewer: A pipe located in a public right-of-way or easement which transports sewage, including manholes, connections, and all other appurtenances.

Sewer, storm: A sewer that carries storm, surface, and ground water drainage but excludes sewage and residential, commercial, and industrial wastes.

Shade Tree: A tree in a public place, street right-of-way, or special easement, planted to provide canopy that will obscure the sun and heat from the ground.

Sidewalk: A hard-surfaced pedestrian access area adjacent to or within the right-of-way of a public road.

Street: A public or private thoroughfare which is open to the general public and which affords the principal means of access to abutting property.

Street, Arterial: Unless otherwise specified by the Comprehensive Plan, transportation element of the Comprehensive Plan or Major Thoroughfare Plan, arterial streets are those streets and highway facilities, including full and partial access controlled highways and major urban area entrance highways, which are designed to carry the highest traffic volumes and the longest trips through and within an urban area.

Street, Collector: Unless otherwise specified by the Comprehensive Plan, transportation element of the Comprehensive Plan or Major Thoroughfare Plan, collector streets are those streets that collect traffic from minor streets or other collector streets and channel it to the arterial system. Collector streets provide land access and traffic circulation within commercial and industrial areas.

Street, Private: A road or street that has not been accepted for maintenance by the City and that is not owned and maintained by a state, county, city, or another public entity.

Street, Public: A dedicated and accepted public right-of-way which affords the principal means of access to abutting properties.

Structure: Anything constructed or erected, the use of which requires more or less permanent location on the ground, or which is attached to something having more or less permanent location on the ground, not including utility poles.

Subdivision: The division of a parcel or tract of land into two (2) or more lots for the purposes of creation of lots for development, the rearrangement of existing lot lines, or for the purpose of transfer of ownership.

Subdivision, major: Any subdivision which involves the construction of a new public or private street; and any subdivision, regardless of whether or not it involves a new public or private street, which contains more than three (3) lots.

Subdivision, minor: The subdivision of a tract of land into not more than three (3) lots, where each lot has minimum required frontage on an existing public street.

Utilities: All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunication and telephone cable, and including facilities for the generation of electricity.

Vacation: The termination of, or termination of interest in, an easement, right-of-way, or public dedication of land.

Variance: A minimal relaxation or modification of the strict terms of these Regulations as applied to specific property when, because of particular physical surroundings, shape, or topographical condition of the property, compliance would result in a particular hardship upon the owner, as distinguished from a mere inconvenience or a desire to make a profit.

Vicinity map: A map, not necessarily to scale, showing the general location of the proposed subdivision or land development in relation to major roads and/or natural features.

ARTICLE III GENERAL PROVISIONS

Section 301. Delegation of Authority to Administrative Officer.

The Cornelia City Commission hereby delegates to the Administrative Officer the authority to approve, conditionally approve, or disapprove minor subdivisions, lot combination plats, boundary line adjustments, and dedication plats; provided, however, such delegation does not authorize the Administrative Officer to accept public improvements for the Governing Body. The Administrative Officer is vested with the authority to review, approve, conditionally approve, or disapprove land development plans.

Section 302. Delegation of Authority to Municipal Planning Board.

The Cornelia City Commission hereby delegates to the Municipal Planning Board the authority to review and recommend to the City Commission whether preliminary plats and final plats for major subdivisions shall be approved, conditionally approved, or denied. All recommendations of the Municipal Planning Board on preliminary and final plats for major subdivisions, shall be entered onto an official form supplied by the Cornelia City Planner and said form submitted to the Cornelia City Commission for review.

Section 303. Delegation of Authority to City Engineer.

The City Engineer is vested with the authority to require and approve, conditionally approve, or deny approval of subdivision and land development improvements. The City Engineer shall require improvement guarantees for public improvements as specified in this ordinance.

The City Engineer is further authorized to promulgate additional technical standards and construction specifications for land development improvements not already specified by this ordinance or the city's zoning ordinance, including but not limited to water systems, sanitary sewer systems, streets, storm drainage systems, utilities, driveways, curb cuts, and parking lots. When technical standards are prepared, the City Engineer may seek their adoption by the Governing Body.

Section 304. Jurisdiction.

This ordinance shall apply to all lands within the corporate limits of the City of Cornelia, Georgia as exist at the time this ordinance is adopted, and all lands subsequently annexed into said corporate limits.

Section 305. Subdivision of Land.

No person shall subdivide land except in accordance with this ordinance. It shall hereafter be unlawful for any person, firm, corporation, owner, agent or subdivider, by deed or map, to sell, transfer, agree to sell, offer at public auction, negotiate to sell or subdivide any land until a preliminary plat, if required, has been reviewed by the Municipal Planning Board and approved by the Cornelia City Commission, and unless a final plat has been approved by the Administrative Officer in the case of a minor subdivision or reviewed by the Municipal Planning Board and

approved by the Cornelia City Commission in the case of a major subdivision. Said restriction applies to lands subdivided for non-residential as well as residential uses. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transfer shall not exempt the transaction from this ordinance or from the penalties established herein. The City through its attorney or other designated official may enjoin such transfer of, sale, or agreement by appropriate action.

Section 306. Public Streets and Lands.

No land dedicated as a public street or other public purpose shall be opened, extended or accepted as a public street or for any other purpose improvements unless such are constructed in accordance with the specifications of this ordinance and accepted by the Governing Body.

Section 307. Lots Must Comply with the Zoning Ordinance.

No person shall subdivide land, and the Administrative Officer shall not approve any subdivision of land, unless the lots created pursuant to said subdivision meet or exceed all applicable requirements of the Zoning Ordinance of the City of Cornelia, Georgia, as may be amended from time to time.

Section 308. Preliminary Plat, Development Permit, and Land Development Plans Required.

No person shall commence development, land-disturbing activity, or construction of any improvements on any lot or land hereafter subdivided, and no development permit shall be issued for such improvements, prior to the approval of a preliminary plat of such land if required by this ordinance and the approval of a development permit if required by the Zoning Ordinance of the City of Cornelia, Georgia, as may be amended from time to time, nor prior to approval of construction plans and engineering plans for said improvements being submitted and approved by the Administrative Officer and the City Engineer.

Section 309. Building Permit Required Prior to Construction.

No building permit shall be issued for a building or structure located in a subdivision created subsequent to adoption of this ordinance unless a final plat if required has been approved by the Administrative Officer and recorded in accordance with this ordinance.

Section 310. Land is One Tract Until Subdivided.

Until property proposed for subdivision has received final plat approval and been properly recorded, the land involving the subdivision shall be considered as one tract, or as otherwise legally recorded.

Section 311. Recording of Subdivision Plats.

No subdivision plat, nor part thereof, shall be recorded in the Superior Court of Habersham County, unless such plat has been approved for recording by the Administrative Officer. The Clerk of the Superior Court of Habersham County shall not record a plat of a subdivision, whether evidenced as a plat or as an attachment to a deed, unless such plat is a final plat approved by the Administrative Officer or his designated representative and contains the Administrative Officer's signature thereon.

Section 312. Exemptions from Plat Approval.

The following types of land subdivisions, transfers, and sales are specifically exempted from the plat approval requirements of this ordinance; provided, however, that such exemptions shall not apply to land development requirements and improvement requirements of this ordinance:

- (a) The creation and sale of cemetery plots.
- (b) The sale of lots consistent with previously approved and recorded plats or deeds.
- (c) The creation of leaseholds for space within a multiple-occupancy building or the division of property into leaseholds (but not for sale) for commercial, industrial, or institutional use.
- (d) The creation of leaseholds (but not for sale) for the agricultural use of property where the use does not involve the construction of a building to be used as a residence or for other purposes not directly related to agricultural use of the land or crops or livestock raised thereon.
- (e) Any division of land to heirs through a judicial estate proceeding, or any division of land pursuant to a judicial partition, or any division of land occurring from the foreclosure of a deed of trust; provided, however, that such exemption shall not require the city to issue permits if the resulting lots or parcels fail to meet any applicable zoning ordinance provisions regarding lot size, lot width, and other dimensional requirements.

Section 313. Exemption from Plan Approval.

The land development plan requirements specified in Article IV of this ordinance shall not apply to any individual lot which has already been platted in accordance with the requirements of this ordinance, or any lot of record, when such lawfully existing lot is to be developed for a detached, single-family, fee-simple residence or a two-family dwelling (duplex). Specifically, a development permit and the submission of land development plans shall not be required for such lots and uses.

Section 314. Reference To State and Federal Land Subdivision Laws.

The subdivision of land within the City of Cornelia shall comply, as applicable, with the Interstate Land Sales Full Disclosure Act (15 U.S.C.A. Section 1701 et seq.) and with the Georgia Land Sales Act (O.C.G.A. Section 44-3-1 et seq.). All subdivision plats shall also comply with applicable state laws regarding accuracy and content of all such subdivision plats.

Section 315. Special Review of Subdivisions Along State Routes.

No subdivision plat containing land which abuts a state route shall be approved until such plat has been submitted for review and comment by the Georgia Department of Transportation, in accordance with the provisions of O.C.G.A. 32-6-151.

When the city receives such a plat, it shall submit two copies of the proposed subdivision plat to the Georgia Department of Transportation if such proposed subdivision includes or abuts on any part of the state highway system. The Georgia Department of Transportation, within 30 days of receipt of the plat, shall recommend approval and note its recommendation on the copy to be returned to the Municipal Planning Board or recommend rejection. Failure of the Georgia Department of Transportation to act within this 30 day period shall constitute approval. If the plat is recommended

for rejection, the reasons for rejection and requirements for approval shall be given the Municipal Planning Board in writing; but such recommendation shall be advisory only and shall not be binding on the Municipal Planning Board or the Governing Body.

**ARTICLE IV
PROCEDURES AND REQUIREMENTS
FOR PLAT AND PLAN APPROVAL**

Section 401. Overview and Pre-Application Conference.

- (a) **Overview.** This ordinance governs the subdivision of property and the development of property. When subdivision of property is involved, the applicant is required to seek and obtain approval of the subdivision. When the subdivision involves installation of streets and other utilities, a preliminary plat is required to be approved by the Governing Body after review and recommendation of the Municipal Planning Board. If no new street is involved in the subdivision, no preliminary plat is required. If the subdivision is a “minor” subdivision as defined by this ordinance, the subdivision is processed administratively as a final plat without review by the Municipal Planning Board and approval of the Governing Body. After a preliminary plat is approved, or in cases where no subdivision of land is involved, the next stage of the development process is the approval of land development plans. Once improvements are installed in accordance with an approved preliminary plat, if the development involves the subdivision of land, a final plat is required to be submitted by the applicant and approved by the Governing Body (Planning Board review of final plats is not required).
- (b) **Pre-application conference.** Whenever the subdivision of a tract of land, or a land development, is proposed to be made, the subdivider or land developer is encouraged (but not required) to consult early and informally with the Administrative Officer. The subdivider or land developer may submit sketch plans and data showing existing conditions within the site and its vicinity, and the proposed layout and development of the subdivision or land development. This pre-application conference is intended to permit an early evaluation of the subdivider’s or land developer’s intentions and coordination with the Comprehensive Plan of the City, and to provide the subdivider or land developer with the necessary regulations in order to properly accomplish the proposed project. No fee shall be charged for the pre-application review, and no formal application shall be required.

Section 402. Application For Preliminary Plat Approval.

Any subdivision involving the dedication of a public street or public land, and any subdivision involving a new private street, shall require the submission of a preliminary plat to the Administrative Officer for review and recommendation by the Municipal Planning Board and approval of the Governing Body, the Administrative Officer, and City Engineer.

Applications for preliminary plat approval shall meet the requirements of Table 4.1. In addition, it shall be the responsibility of the applicant to show to the City’s satisfaction that the facilities including electric power, water, and sanitary sewer, are available to serve the proposed subdivision.

Section 403. Preliminary Plat Specifications.

When a preliminary plat is required, it shall conform to the requirements of Table 4.2. If the complete preliminary plat or set of land development plans cannot be shown on one sheet at the specified size and scale, it may be shown on more than one sheet with an index map on a separate

sheet of the same size.

Section 404. Transmittal of Preliminary Plat to Review Agencies.

The Administrative Officer shall transmit for review and comment a copy of the preliminary plat to the City Engineer and, when involving property abutting a state route, to the Georgia Department of Transportation. At his discretion, the Administrative Officer may transmit for review and comment a copy of the plat to applicable internal and external review agencies, such as but not limited to: the City Attorney, the City Fire Chief, the City Building Inspector, the County Health Department, the State Department of Natural Resources, and any other agency that may have an interest in or jurisdiction over the proposed subdivision. The Administrative Officer shall consider such comments and may recommend that conditions be placed on preliminary plat approval to be consistent with said comments.

**TABLE 4.1
 APPLICATION REQUIREMENTS**

REQUIREMENT	PRELIMINARY PLAT	LAND DEVELOPMENT PLANS	FINAL PLAT
1. Pre-application review with staff	Encouraged	Encouraged	
2. Application form completed	Required	Required	Required
3. Letter requesting approval with name, address, and phone of applicant	Required		
4. Number of copies of plat/plans	8 Copies	3 Copies	10 Copies
5. Filing fee per Resolution/ schedule	Required	Required	Required
6. Description of type of water supply and sewerage system and utilities to be provided	Required	Required	Required
7. Soil test for each lot proposed for on-site septic tank and drainfield	Required	Required	Required
8. Data on existing conditions	Required		
9. Warranty deed for the dedication of streets and other public places			Required
10. Written approval from electric utility company regarding installation of service points and street lights			Required
11. As-built drawings of public improvements		Required	
12. Subdivision improvement guarantee			Required
13. Certificate of title			Required
14. Plat Certificates			Required

**TABLE 4.2
 PLAT AND PLAN SPECIFICATIONS**

INFORMATION REQUIRED	PRELIM- INARY PLAT	LAND DEVELOPMENT PLANS	FINAL PLAT
1. Scale (minimum)	1"=100 feet	1"=100 feet	1"=100 feet
2. Sheet size (maximum)	24" x 36"	24" x 36"	17" x 22"
3. North arrow and graphic engineering scale	Required	Required	Required
4. Reference to north point (magnetic, true north, or grid north)	Required	Required	Required
5. Proposed name of subdivision or project and phases, if any	Required	Required	Required
6. Vicinity map	Required	Required	Required
7. Total acreage of the property being subdivided or developed	Required	Required	Required
8. Name, address, and telephone of owner of record	Required	Required	Required
9. Name, address and telephone of subdivider or land developer	Required	Required	Required
10. Name, address and telephone of preparer of plat or plans	Required	Required	Required
11. Date of plat or plan drawing and revision date(s) if any	Required	Required	Required
12. Exact boundaries of the tract to be subdivided or developed by bearings and distances, tied to one or more benchmarks	Required	Required	Required
13. Names of owners of record of all abutting land	Required	Required	Required
14. Municipal, County and land lot lines inside the property or within 500 feet	Required	Required	Required
15. Existing buildings and structures on or encroaching on the tract to be subdivided or developed	Required	Required	Not Shown
16. Existing streets, utilities and easements on and adjacent to the tract	Required	Required	Required
17. Environmental conditions (streams, wetlands, watershed protection districts, flood hazard areas, etc.)	Required	Required	Required
18. Block boundaries lettered and each lot numbered consecutively counterclockwise without repetition	Required		Required
19. Dimensions and acreage of all lots	Approximate	Approximate	Exact
20. Locations of streets, alleys, lots, open spaces, and any public use reservations and/or common areas	Required	Required	Required

INFORMATION REQUIRED	PRELIMINARY PLAT	LAND DEVELOPMENT PLANS	FINAL PLAT
21. Right-of-way widths and pavement widths for existing and proposed streets		Required	Required
22. Locations, widths and purposes of easements		Required	Required
23. Street centerlines showing angles of deflection, angles of intersection, radii, and lengths of tangents and arcs, and degree of curvature and curve data		Required	Required
24. Acreage to be dedicated to the public			Required
25. Street names		Required	Required
26. Street mailing address for each lot			Required
27. Topography at no less than five foot contours	Required	Required	Not Shown
28. Minimum front building setback lines for all lots	Required	Required	Required
29. Location and description of all monuments			Required
30. Certificate of ownership and dedication			Required
31. Plat recording and signature block			Required
32. Land surveyor's stamp, certificate, signature, including field survey and closure statement		Required	Required
33. Statement of and reference to private covenants, if any			Required
34. Schedule of construction for all proposed projects with particular attention to development planned for the first year	Required	Required	

Section 405. Action on the Preliminary Plat.

Within thirty (30) calendar days of receipt of the completed application for preliminary plat, the Administrative Officer shall submit the application to the Municipal Planning Board for its review and recommendation. The Municipal Planning Board shall recommend the preliminary plat as submitted, recommend approval of the preliminary plat with conditions, or recommend disapproval of the preliminary plat, or it may defer the application for further study provided that a recommendation must be made within sixty (60) days. The Administrative Officer shall notify the applicant and the Governing Body in writing of the Municipal Planning Board's recommendations, and it shall provide reasons for disapproval if that is its recommendation.

Upon recommendation by the Municipal Planning Board, the Administrative Officer shall forward the application for preliminary plat to the Governing Body, to be scheduled promptly (the next available meeting agenda) for its consideration and action. The Governing Body shall approve the preliminary plat as submitted, approve the preliminary plat with conditions, or disapprove the preliminary plat, or it may defer the application for further study provided, or it may remand the preliminary plat back to the Municipal Planning Board for further study. The Governing Body must make a decision within sixty (60) days of the date of the first meeting at which it considered the preliminary plat application. It shall be the responsibility of the applicant to show to the City's

satisfaction that the facilities including electric power, water, and sanitary sewer, are available to serve the proposed subdivision, and the lack of available infrastructure may be due cause for the Governing Body to deny the preliminary plat.

Approval of the preliminary plat shall not constitute approval of land development plans or the final plat; rather, it shall constitute approval of the layout submitted on the preliminary plat to be used as a guide for the preparation of land development applications and the final plat. Preliminary plat approval shall continue in effect for a period of one (1) year. If an applicant has not submitted an application for final plat approval following one (1) year of preliminary plat approval, the applicant shall be required to resubmit an application for preliminary plat approval.

Section 406. Amendments to Preliminary Plat Approval.

The Governing Body is authorized to approve amendments to preliminary plats. The application requirements and procedures for amending preliminary plats shall be the same as specified for preliminary plat applications.

Section 407. Submittal of Land Development Plans.

Following approval of the preliminary plat for a land subdivision, or if subdivision is not proposed, upon proposing a land development, the subdivider or land developer shall submit an application for land development approval to the Administrative Officer per the requirements of Table 4.1 for land development plans. The land development plans shall at minimum include information specified in Table 4.2 for land development plans. Said plans shall consist of the following:

- (a) Utility plans providing information regarding the location, size, length and type of all water, sanitary sewer and storm drainage improvements showing their minor structures, appendages and connections with existing systems, and the approximate location of service lines from the lots to the proposed utility lines.
- (b) Street plans providing information as follows: street profiles and cross sections as required by the City Engineer, type of sub-base, type of paving base, type curb and gutter; type street paving, and type improvements within the street right-of-way outside of the paved area.
- (c) Grading plans and soil sedimentation and erosion control plans.
- (d) In addition to utility, street, grading and erosion control plans, the Administrative Officer and/or City Engineer may require other information as may be necessary, depending upon the scope and extent of the development project, in order to review the application for compliance with this ordinance.

Section 408. Review and Approval of Plans.

Upon receipt of the completed land development plans by the Administrative Officer, he shall review them for compliance with this ordinance, the Zoning Ordinance, and any other local regulations under his review responsibility. The Administrative Officer shall have ten (10) working days to certify compliance with planning and zoning requirements and non-engineering aspects of the land development plans. Upon such certification of compliance, the Administrative Officer shall stamp them with the date approved and forward all three (3) sets of plans to the City Engineer. The City Engineer shall have fifteen (15) working days to review and approve, conditionally approve, or disapprove the plans. If disapproved, the City Engineer shall notify the applicant in writing of the

reasons for said disapproval. If approved or conditionally approved, the City Engineer shall provide his signature on said approved plans indicating said approval, retain one copy of said plans for his records, return one copy to the applicant, and submit one copy to the Administrative Officer.

Section 409. Issuance of Development Permit.

Upon approval or conditional approval of land development plans, the Administrative Officer shall issue a development permit as required by the Zoning Ordinance of the City of Cornelia. Issuance of a development permit shall constitute authorization for the applicant to begin land-disturbing activities and the construction of improvements, subject to any grading permits, soil erosion permits, or other permits and permissions as may be required by the City Engineer. A prerequisite to the issuance of a development permit shall be completion and signature of an indemnification agreement as indicated in the attached exhibit A (found at the end of this ordinance).

Section 410. Application For Final Plat Approval.

In the case of a subdivision, upon completion of required improvements, the subdivider may then submit an application for final plat approval, which at minimum shall meet the requirements for final plat applications as specified in Table 4.1. In addition, the applicant for final plat shall submit to the Administrative Office the following:

- (a) **Original and file copy.** One time-stable reproducible film copy or original of the plat, and if available, electronic file copy in a computer mapping software format accepted by the City Engineer.
- (b) **Approval of City Engineer and subdivision improvement guarantee.** A letter from the City Engineer certifying that all required improvements have been constructed and meet the specifications of the city, and that an acceptable subdivision improvement guarantee as required by this ordinance has been provided by the applicant. The subdivider shall upon completion of the required improvements request in writing that the City Engineer report by letter that all improvements required by this ordinance have been completed according to City specifications. The City Engineer shall upon acceptance write a letter of compliance addressed to the subdivider with a copy to the Administrative Officer stating the subdivision complies with the provisions of this ordinance. Prior to writing such letter, the City Engineer shall inspect all underground installations, sub-grades, bases or courses of asphalt, and such improvements shall not be covered or hidden before they are inspected and accepted by the City Engineer. In unusual circumstances and for good cause shown by the applicant, the City Engineer may recommend and the Governing Body may approve a final plat prior to the completion of all required improvements, such as the final pavement topping. In such a case the applicant shall submit an additional performance bond for those required improvements not yet completed in an amount approved by the City Engineer. For more information on the requirements of subdivision improvement guarantees, see later sections in this article.
- (c) **Letter from electric utility company.** A letter from the applicable electricity service company may be required indicating that service points for individual lots and street lights, if required, have been installed;
- (d) **As-built drawings.** "As-built" drawings acceptable to the City Engineer of: 1) all streets showing the planned and actual location of all utility lines; 2) centerline profile of

all streets with final grades; and 3) horizontal and vertical alignment including profiles and invert elevations of all storm and sanitary sewer lines; provided, however, the Administrative Officer may waive this final plat submittal requirement for a set period of time if improvements and/or "as-built" drawings are not complete, subject to subsequent denial of building permits should said drawings not be submitted.

Section 411. Final Plat Specifications and Certificates.

The final plat shall be drawn to comply with the specifications in Table 4.2 for final plats. Certificates shall be included on the final plat, as follows:

1. Final Surveyor's Certificate:

It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist and their location, size, type and material are correctly shown; and that this plat meets all requirements of the City of Cornelia Subdivision and Land Development Regulations and Zoning Ordinance.

By _____ Registered Georgia Land Surveyor No. ____.

Date

2. Certificate of Ownership and Dedication:

(State of Georgia)
(City of Cornelia)

The owner of record of the land shown on this plat and whose name is subscribed thereto, and in person or through a duly authorized agent, certifies that he or she owns the land shown on this plat to be subdivided and hereby dedicates to the public forever, subject to formal acceptance by the Governing Body, the following:

Public Streets	___ acres
Public Drains	___ acres
Public Easements	___ acres
Public Parks/Open Space	___ acres

Typed Name of Subdivider

Typed Name of Owner of Record

Signature of Subdivider

Signature of Owner of Record

Date

3. Certificate of Approval:

FINAL PLAT APPROVAL

The Administrative Officer, City Engineer, and Governing Body of the City of Cornelia, Georgia certify that this plat complies with the City of Cornelia Zoning Ordinance, conditions of zoning, and the Subdivision and Land Development Regulations of the City of Cornelia, and that this plat is hereby approved and released for recording purposes.

City Engineer, City of Cornelia

Date: _____

Administrative Officer, City of Cornelia Date: _____

Mayor, City of Cornelia Date: _____

4. Certification of Health Department Approval:

This is to certify that this plat and proposed water and sewerage facilities are acceptable.

Public Health Officer, Habersham County Date: _____

5. Certificate of Recording:

This plat has been recorded in plat book ____, page ____, in the records of the Clerk of Superior Court, Habersham County, Georgia.

Clerk, Habersham County Superior Court Date: _____

Section 412. Action on the Final Plat.

Upon receipt of the completed final plat application, the Administrative Officer may transmit for review and comment a copy of the plat to applicable review agencies. He shall have ten (10) working days to approve or disapprove of the plat. If said plat is substantially in conformance with the preliminary plat, it shall be scheduled for approval by the Governing Body. Final plats do not require review and recommendation by the Municipal Planning Board.

Final plat approval shall be granted by the Governing Body if the following conditions, as applicable, are met:

- (a) A preliminary plat of the proposed subdivision, if required, has been previously approved by the Governing Body.
- (b) Where new improvements are involved in the subdivision, development plans have been approved by the Administrative Officer, all improvements have been installed, improvements have been inspected as specified in this ordinance, and subdivision improvement guarantees as required by this Ordinance have been submitted.
- (c) The final plat meets all applicable requirements of this Ordinance.

- (d) A complete final plat application has been submitted, including all supporting materials required by this ordinance for final plats.

Final plats and applications that meet the above-referenced conditions shall be considered a ministerial action by the Administrative Officer. Denial of a final plat shall be permitted only upon specific findings that one or more of the above-referenced conditions have not been met. Once the Administrative Officer, the City Engineer, and the Governing Body have approved the final plat, the signatures of the Administrative Officer, City Engineer, and Mayor shall be placed on the reproducible film copy or original of the final plat.

Section 413. Recording of Final Plats.

Upon approval and without undue delay, the Administrative Officer shall have approved final plats recorded in the records of the Clerk of the Superior Court of Habersham County, and a time-stable reproducible film copy or original filed in the Office of the Administrative Officer. Said copy of original shall not require an engineer or surveyor's stamp to protect the liability of the professionals involved. Recording fees shall be included in the fee charged for final plats and therefore paid by the City. The Clerk of the Superior Court shall indicate on the filed copy, as well as the time-stable reproducible film copy or original, the book and page number in the Habersham County Records where the final plat is recorded. Recordation of a final plat constitutes approval to begin the sale or transfer of subdivision lots.

Section 414. Assignment of Street Addresses.

Upon recording of a final plat, the applicant shall contact the Mapping Department of Habersham County, which shall assign each lot a street address and shall note each address in permanent ink on the time-stable, reproducible film copy or original.

Section 415. Distribution of Recorded Final Plat.

The final plat is a source of essential information to tax officials, public safety officials, and utility officials, among others. The Administrative Officer shall be responsible for ensuring that each agency listed in this section receives a copy of the final recorded plat with assigned addresses:

1. The Habersham County Tax Commissioner
2. The Habersham County Tax Assessor
3. The Habersham County Health Department
4. The City Police Department
5. The City Fire Department
6. The City Building Inspector
7. The City Engineer
8. The United States Postal Service (local postmaster)

At the discretion of the Administrative Officer, additional agencies or persons may be added to the above list.

Section 416. Subdivision Improvement Guarantees.

Prior to the approval of any final plat by the City in which the proposed construction includes

new public streets, new public sewers or new public water lines, the applicant for final plat approval shall provide security for satisfactory completion of the construction in the form of a subdivision improvement guarantee in a form specified by this section, in the amount of 100 percent of the estimated construction costs of said improvements.

The subdivision improvement guarantee may be any of the following:

- (a) An escrow of funds with the City;
- (b) An escrow with a bank or savings and loan association upon which the City can draw;
- (c) An irrevocable letter of commitment or credit upon which the City can draw;
- (d) A performance bond for the benefit of the City upon which the City can collect;
- (e) A certificate of deposit with assignment letter; or
- (f) Any other form of guarantee approved by the Governing Body that will satisfy the objectives of this section.

Section 417. Specifications for Subdivision Improvement Guarantees.

The subdivision improvement guarantee shall at minimum conform to the following specifications:

- (a) It shall be conditioned upon the faithful performance by the subdivider or developer of all work required within a specified time until formally and officially released by the City;
- (b) It shall be payable to, and for the indemnification of, the City;
- (c) It shall be in a dollar amount equal to the cost of construction of the required improvements, as calculated on the basis of construction costs by the permit applicant's engineer and approved by the City Engineer;
- (d) It shall include surety by a company entered and licensed to do business in the State of Georgia; and
- (e) It shall be approved as to form and content by the City Attorney.

Section 418. Use of Subdivision Improvement Guarantee.

The City will hold the subdivision improvement guarantee until one year following final plat approval or completion of all the work by the applicant, whichever is later. During the one (1) year period following final plat approval or completion of all the work by the permittee, whichever is later, all maintenance, utility and all other associated costs will be the sole responsibility of the applicant for final plat approval and not the responsibility of the City.

At the one-year anniversary, the applicant for final plat approval shall request a final warranty inspection. Any deficiencies cited by the City Engineer or Administrative Officer in the final warranty inspection report as deviations from this ordinance, the approved plans, or any maintenance requirements (e.g., roads, sediment, grassing, etc.) shall be remedied by the final plat applicant within sixty (60) days, weather permitting, following said inspection.

If, upon being notified of failure of required improvements, the subdivider does not correct the deficiency or commence work within sixty (60) days of notice, it shall be deemed to be a failure. At any time prior to acceptance by the Governing Body that improvements fail to meet the specifications of this ordinance, the City may after official act of the Governing Body draw upon the funds pledged through the applicant's subdivision improvement guarantee, for the purposes

of making the necessary repairs or corrections to improvements, either by public work or by private contract, and the subdivision improvement guarantee shall be liable for the full amount of the cost of said repairs or corrections to improvements, as determined by the City Engineer.

Section 419. Dedications of Public Streets and Acceptance of Improvements.

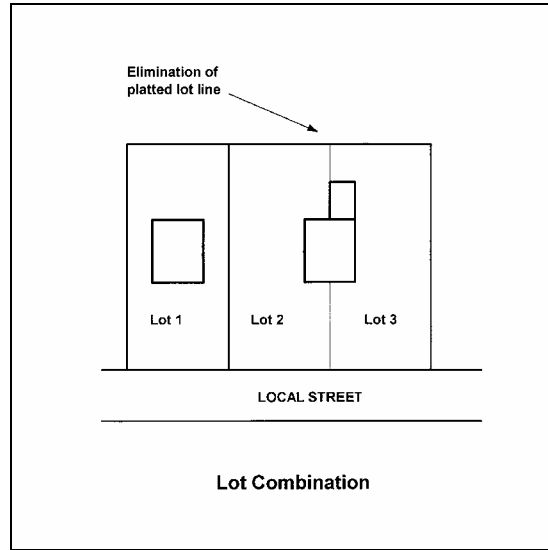
At any date after one year has passed since the date of final plat approval, or the installation of requirement improvements, whichever is later, the subdivider may petition in writing to the Administrative Officer for the Governing Body by resolution to accept public streets and other dedications, in whole or in part, within the subdivision. The petition to accept public improvements shall be accompanied by conveyances of title to all water lines, sewer lines, lift stations, streets, and any other public utilities or other improvements for which the City has previously agreed to accept ownership. Such conveyances shall be in a form acceptable to the City Attorney. Said improvements shall not be accepted for maintenance until approved by resolution by the Governing Body. Any instrument of financial guarantee (subdivision improvement guarantee) shall be returned to the subdivider upon acceptance of public streets and improvements by the Governing Body.

Section. 420. Minor Subdivisions.

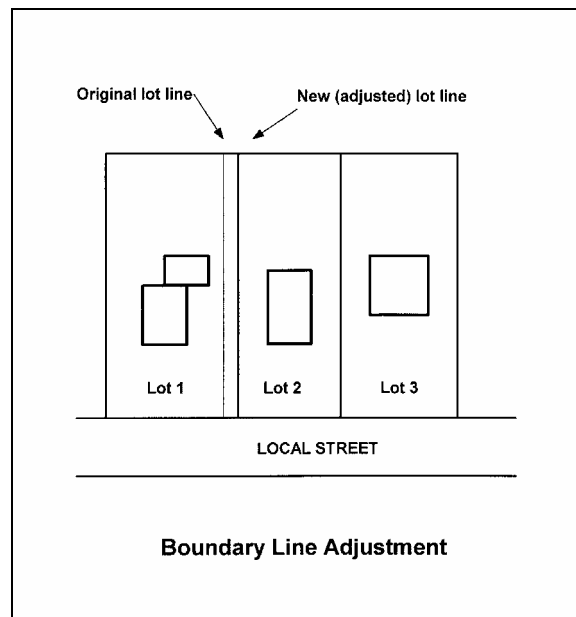
The Administrative Officer is authorized to review and approve or deny applications for minor subdivisions as defined by this Ordinance, as a final plat, provided that application is made for minor subdivision approval in accordance with all specifications for final plats as applicable and required by this ordinance. The Habersham County Health Department shall also review the plat and if approved indicate on the final plat its approval.

Section 421. Lot Combinations and Boundary Line Adjustments.

An existing lot line forming the boundary between two conforming platted lots located within the same subdivision or a lot line between lots or parcels that have merged to form one building lot may be removed or eliminated through a final plat revision process which conforms to the final plat requirements of this ordinance. Where separate lots of land are proposed to be combined, they shall be submitted to the Administrative Officer as a final plat for review, approval and recording. In the case no final plat applies to the subject lots or parcels, a boundary survey and plat depicting all lots involved in the lot combination shall be required to be approved by the Administrative Officer and recorded as a final plat. Such combination plat shall be titled with the same name as that of the original subdivision, if applicable, and shall indicate thereon that the replat is for the purpose of removing the lot lines between specific lots.



One or more existing lot lines forming boundaries between conforming platted lots located within the same subdivision, or one or more lot lines between abutting lots or parcels may be adjusted through a final plat revision process that requires the approval of the Administrative Official and recording of a plat meeting the specifications of a final plat. In the case no final plat applies to the subject lots or parcels, a boundary survey and plat of the entire lots involved in the boundary line adjustment shall be required to be approved by the Administrative Officer and recorded. Such plat showing said boundary line adjustment shall be titled with the same name as that of the original subdivision and shall include thereon that the replat is for the purpose of adjusting the lot lines between specific lots.



ARTICLE V DESIGN REQUIREMENTS FOR STREETS

Section 501. Access.

Access to every subdivision and land development shall be provided over a public street, or if approved by the Governing Body, a private street. Each lot shall have access to a public street and a minimum of thirty (30) feet of lot frontage on a public street; provided, however, that the Governing Body may permit one or more lots to be accessed by private streets, as more fully specified in this ordinance.

When a subdivision consists of fifty (50) or more lots, it is desirable but not absolutely required that the subdivision have more than one entrance/exit to/from the subdivision. The City shall consider the amount of existing city street frontage and the configuration of the site in determining whether more than one entrance/exist is required for preliminary plat approval.

Section 502. Conformance to Adopted Major Thoroughfare and Other Plans.

All streets and other features of the adopted comprehensive plan shall be platted by the subdivider in the location and if any, to the dimensions indicated on the Major Thoroughfare Plan or transportation component or element of a comprehensive plan adopted by the Governing Body.

Section 503. Continuation of Existing Streets.

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

Section 504. Street Plans for Future Phases of the Tract.

Where the plat or site plan proposed to be subdivided or developed includes only part of the tract owned or intended for subdivision or development by the subdivider or land developer, a tentative plan of a future street system for the portion not slated for immediate subdivision consideration may be required by the Administrative Officer and if required shall be prepared and submitted by the subdivider or land developer at the time of submission of an application for preliminary plat or land development plan approval, whichever occurs first.

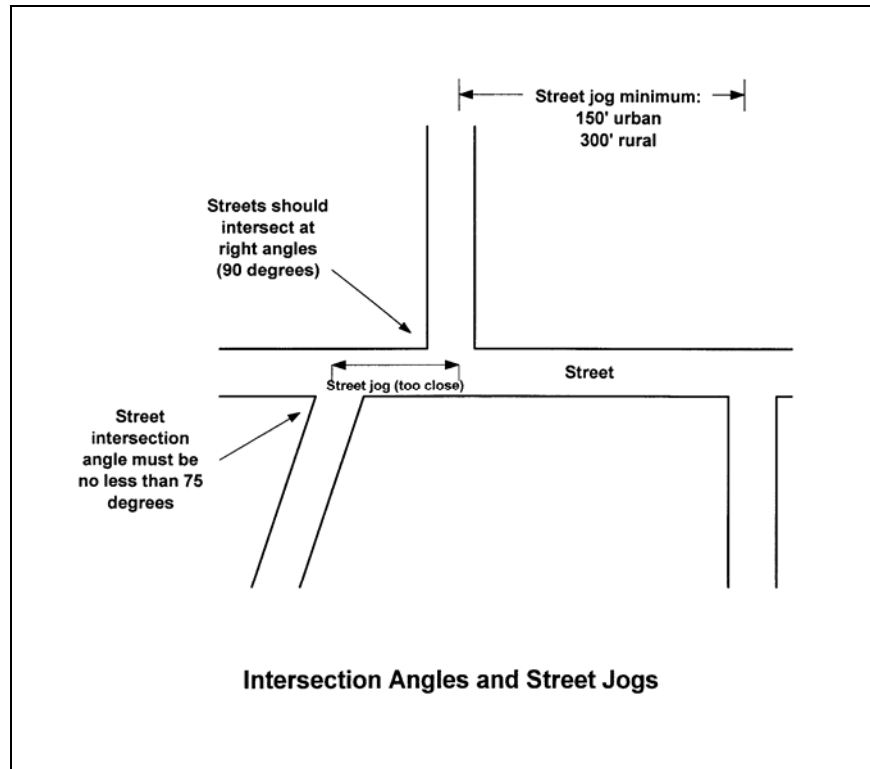
Section 505. Street Names.

Street names shall be approved by the Administrative Officer. Streets that are in alignment with existing named streets shall be given the name of the existing street. Names of new streets shall not duplicate or closely approximate those of existing streets in the City or County.

Section 506. Street Alignment, Intersections, and Jogs.

Streets shall be aligned to join with planned or existing streets. Under normal conditions, streets shall be laid out so as to intersect as nearly as possible at right angles (90 degrees), but in no case shall such a street intersection be less than 75 degrees. Where street offsets or jogs cannot be avoided, offset "T" intersections shall be separated by a minimum centerline offset of 150 feet (i.e.,

the “urban” standard in the following illustration shall apply).



Section 507. Development Along Arterial Street or Limited Access Highway.

Where a subdivision abuts or contains an arterial street or a limited access highway, the Administrative Officer shall 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 suitably planted. Lots shall have no access to major streets (or limited access highways) but only to access streets.

Section 508. Alleys.

Alleys may be required at the rear of all lots used for multi-family, commercial or industrial developments, and may be provided in one or two-family residential developments.

Section 509. Reserve Strips.

Reserve strips controlling access to streets, alleys, or public grounds shall not be permitted unless their control is placed in the hands of the Governing Body, under conditions approved by the Governing Body.

Section 510. Cul-de-Sacs.

Streets that dead-end shall terminate in a cul-de-sac or other approved turn-around. Streets that are planned to continue at some future date shall provide a temporary cul-de-sac. Except where topographic or other conditions make a greater length unavoidable, cul-de-sacs or dead-end streets

shall not be greater in length than 750 feet and shall be provided at the closed end with a turn-around radius of fifty (50) feet, and approved by the City Engineer.

Section 511. 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. Arterial street widths, 70 feet or as shown in the Major Thoroughfare Plan.
2. Collector street, 60 feet.
3. Minor street and dead-end street, 60 feet.
4. Alleys, 20 feet.
5. Cul-de-sacs, commercial and industrial subdivisions, 60 feet (radius).
6. Cul-de-sacs, local residential streets, 60 feet (radius).

Section 512. Street Pavement Widths.

Street pavement widths shall be as follows:

1. Arterial street widths, 50 feet or as shown in the Major Thoroughfare Plan.
2. Collector streets, 24 feet.
3. Minor streets and dead-end streets, 22 feet.
4. Minor streets, commercial and industrial subdivisions, 24 feet.
5. Alleys, 16 feet.
6. Cul-de-sacs, commercial and industrial subdivisions, 55 feet radius.
7. Cul-de-sacs, local residential streets, 50 feet radius.

Section 513. Street Grades.

Maximum and minimum street grades shall be as follows:

1. Arterial streets, not in excess of 7 percent.
2. Collector streets, not in excess of 10 percent.
3. Minor streets and dead-end streets and alleys, not in excess of 14 percent.
4. No street grade shall be less than one-half of one percent.

Section 514. Horizontal Curvature.

The minimum radii of centerline curvature shall be as follows:

1. Arterial streets, no less than 800 feet.
2. Collector streets, 300 feet.
3. Minor streets and dead-end streets and alleys, 100 feet.

Section 515. Tangents.

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

1. Arterial streets, 200 feet.

2. Collector streets, 100 feet.
3. Minor streets and dead-end streets and alleys, 60 feet.

Section 516. Vertical Alignment.

Vertical alignment shall be such that the following requirements are met:

1. Major streets shall have a sight distance of at least 500 feet at 4 feet above ground level.
2. Collector streets shall have a sight distance of at least 300 feet at 4 feet above ground level.
3. Minor streets shall have a sight distance of at least 200 feet at 4 feet above ground level.

Section 517. Curb-Line Radius.

The curb-line radius at street intersections shall be at least 20 feet. Where the angle of street intersection is less than 90 degrees, a longer radius may be required. For commercial and industrial subdivision streets, a minimum 25 foot curb-line radius shall be provided.

Section 518. Bridges.

Bridges on public rights-of-way shall meet current American Association of State Highway and Transportation Officials standards, or as may be determined by the City Engineer.

Section 519. Right-of-Way Clearance.

All trees, brush, stumps, rocks, or other debris shall be cleared from the street right-of-way as required; provided, however, that efforts should be made and the city may accept proposals to save suitable vegetation in the right-of-way that will not pose a public safety hazard.

Section 520. Grading of Streets.

All streets shall be graded to lines, grades and cross-sections approved on the plans.

Section 521. Street Paving and Base.

Base and sub-base shall be installed in compliance with specifications of the City Engineer.

1. Residential streets shall be built to the following standards.
 - A. The following types of base material may be used:
 - I) Six-inch graded aggregate base meeting the requirements of Georgia State Department of Transportation specification 815.
 - II) Graded aggregate base course: The base course shall consist of mineral aggregate and may be a combination of natural deposit or a blend of the materials specified. All materials are subject to approval by the City Engineer. If a blend of materials is used, it shall be blended through a base plant which meets the latest specifications of the Georgia State Department of Transportation specification 815. Minimum depth of base course shall be six (6) inches under a minimum of 2 inches asphaltic concrete type "E."
 - III) Black base: The base course shall consist of asphaltic concrete as approved by

the City Engineer and shall conform to applicable specifications of the Georgia Department of Transportation. Minimum base course shall be four inches under minimum two inches asphaltic concrete.

- B. Prime: After the base has been placed, mixed, compacted, shaped, inspected and accepted, it shall be primed with suitable asphaltic materials as specified in Georgia Department of Transportation specification 412.

C. Roadway surfaces: After the prime has been inspected and accepted, the roadway or street shall be surfaced with a minimum 1 1/2 inches of type "E," asphaltic concrete wearing surface. No surface treatment pavement as a finished wear surface will be accepted. All asphaltic concrete will be mixed in an asphalt plant meeting the latest requirements of the Georgia Department of Transportation.

Final top course to be applied after development is approximately 95% complete.

For commercial and industrial street paving base, use 6 inches crusher run base, prime and place 3.5 inches of plant mix asphaltic binder and surface with 1.5 inch of compact hot plant mix topping.

Section 522. Curb and Gutter.

Curb and gutter shall be installed along both sides of all paving. All curb and gutter, valley, gutter, driveway aprons and sidewalks shall conform to City specifications.

1. Residential curbing:

- A. Concrete shall have a minimum strength of 2,500 psi at 28 days.
- B. Typical minimum section shall be 6" X 24" X 9".

2. Industrial or commercial curbing:

- A. Concrete shall have a minimum strength of 3,000 psi at 28 days.
- B. Typical section shall be 6" X 30" X 8".
- C. Vertical faced curbing only.

3. Construction methods:

- A. Line and grade shall be set by developer's engineer, landscape architect, or surveyor and approved by the City Engineer.
- B. One-half inch expansion joints or premolded bitumastic expansion joint material shall be provided at all radius points and at intervals not to exceed 50 feet in the remainder of the curb and gutter.

Section 523. Street Signs.

Street signs shall be furnished and installed at all street intersections on the rights-of-way by the developer and shall be white "scotchlite" with black legends mounted on 10 foot round posts, or as otherwise approved by the City Engineer. Exact locations shall be approved by the City Engineer prior to installation.

Section 524. Street Right-of-Way Improvements.

All street right-of-ways outside of the paved portions shall be graded to conform to approved cross section and shall be soiled with a material acceptable to the City Engineer. These areas shall be landscaped as required by this ordinance.

Section 525. Street Trees.

Street trees and other shrubbery that may be retained or planted shall be placed or retained so as not to obstruct sight distances at street intersections.

Street tree planting is required along all new local, collector, and arterial streets in the City of Cornelia and private streets within commercial, industrial, or residential subdivisions. Street tree planting shall be required along all the property road or street frontage for each new land development in the city, except for existing lots of record developed for a detached, single-family dwelling, within the street right-of-way if sufficient room exists, or if such room does not exist, on private property within a street tree or general purpose easement.

The subdivider, owner of land to be dedicated as a public street, or the developer of a private street or land development shall at the time of preliminary plat, development permit, or building permit approval submit a plan for the provision of street trees along all said roads or road frontages. It is the intent of this section that the subdivider or land developer carefully position street trees on the plan while taking into account future driveway and sidewalk locations if not constructed simultaneously with the construction of the public or private street or land development. In the cases of subdivisions, suitable arrangements must be made for either the subdivider/ developer or individual builders to install street trees according to a plan approved by the Administrative Officer as a part of preliminary plat approval, prior to dedication or opening of said street. It is the preference of the city that the subdivider shall install said street trees prior to the dedication or opening of the public or private street; however, the Administrative Officer may accept an agreement where the responsibility for street tree planting is shifted to the owners or individual builders of the lots to be subdivided. Any such responsibility shall be legally transferred in a form acceptable to the City Attorney.

Trees must be planted within the public right-of-way or, if right-of-way width is insufficient to accommodate said street trees, then on private property abutting the public right of way within a street tree easement dedicated to the city.

The guidelines below are intended to avoid conflicts with infrastructure; they are recommendations only and are subject to the approval of the Administrative Officer.

TABLE 5.1

GUIDELINES FOR THE PLANTING OF STREET TREES

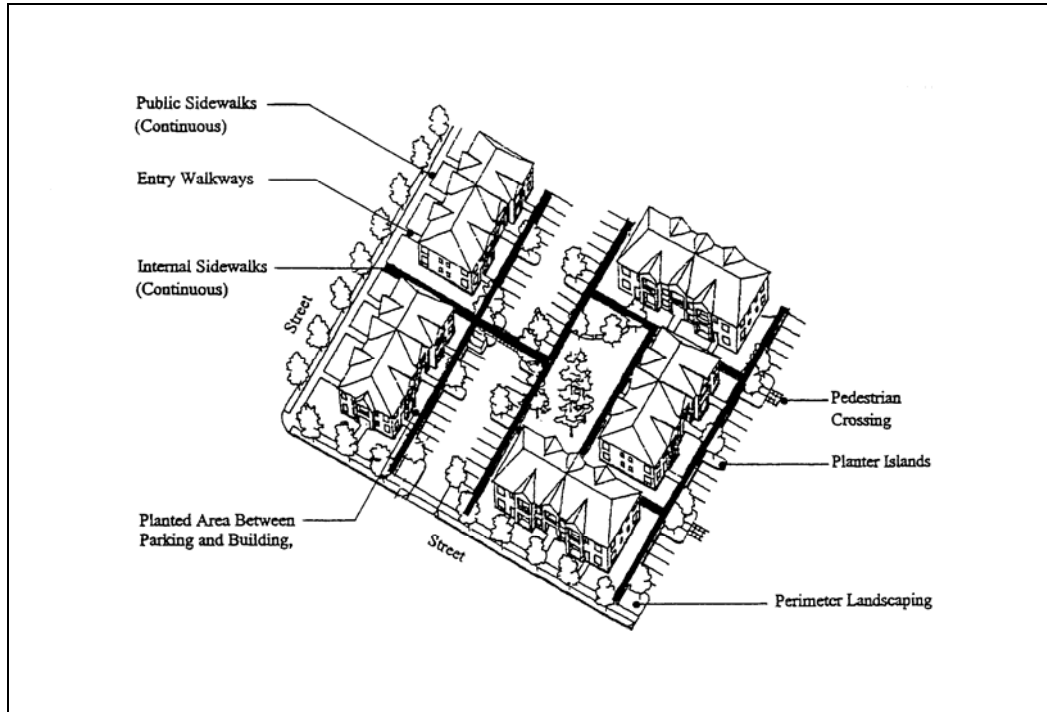
MATURE SIZE	MINIMUM WIDTH OF TREE LAWN	SPACING BETWEEN TREES	OVERHEAD UTILITIES IF PERMITTED	DISTANCE FROM SIGNS, UTILITY POLES, DRIVEWAYS, FIRE HYDRANTS	DISTANCE FROM INTERSECTION	DISTANCE FROM UNDERGROUND UTILITIES
Large 50-70 Feet	8 Feet	60 Feet	Do Not Plant	10 Feet	30 Feet	5 Feet
Medium 30-40 Feet	5 Feet	40 Feet	Okay	10 Feet	30 Feet	5 Feet
Small 15-20 Feet	3 Feet	20 Feet	Okay	10 Feet	30 Feet	5 Feet
Evergreen 40-50 Feet	Yards Only	30 Feet	Do Not Plant	30 Feet	30 Feet	5 Feet

Section 526. Sidewalks.

Sidewalks shall be installed in street rights-of-ways in subdivisions located within a mile from an existing or proposed school on one side of any subdivision street providing access to such school. When sidewalks are required, the subdivider shall furnish and install all required paving materials without cost to the City, in accordance with City Specifications including the following

- (a) Sidewalks shall have a minimum width of five (5) feet in residential areas and seven (7) feet in commercial areas.
- (b) Sidewalks along streets in residential areas shall not be less than two (2) feet from street curbs or the edge of pavement.
- (c) All driveway aprons over sidewalk areas shall be paved with concrete by the developer or builder.
- (d) Sidewalks shall be four (4) inches thick and consist of concrete (2500 psi at 28 days) and shall be located on the north and east sides of streets.
- (e) Sidewalk systems and multi-use trails shall be constructed in accordance with requirements of Americans with Disabilities Act (ADA).

In addition to the above requirements, on private properties, individual land developments, except for detached, single-family lots, shall provide direct pedestrian access ways to all public sidewalks or multi-use trails when located on a public street abutting the property to be developed.



Source: OTAK. 1999. *Model Development Code and User's Guide for Small Cities*. Salem: Oregon Transportation and Growth Management Program.

Section 527. Streetlights.

Streetlights shall be provided in accordance with City specifications by the developer of a subdivision prior to the approval of a final plat. Fixtures and standards/poles installed or used shall be approved by the utility company which will be responsible for the maintenance of the facilities and by the City. The fixtures shall be mounted no more than thirty (30) feet above the ground and shall have appropriate arm length to place the light over the street. No arm shall be less than two and one-half (2-1/2) feet long unless approved by the City Engineer. Streetlights shall be serviced by underground electrical utilities. Post top luminaries may be permitted when approved by the City Engineer. Fixtures shall be located no more than five hundred (500) feet apart, unless approved by the City Engineer, and at least one light shall be located at each street intersection within the subdivision or land development.

The developer shall pay all costs for standard poles, fixtures and any other related items or materials necessary for the installation, as well as arrange an agreement with the utility company for complete maintenance of all installations. The City of Cornelia shall assume the responsibility and make the monthly payments to the power company for electrical energy for each street light only after these requirements have been accomplished and improvements accepted. The City of Cornelia shall accept responsibility for power bills for streetlights no earlier than one year after the streetlights have been installed, and the developer or Homeowners Association will be responsible until that time.

Section 528. Acceleration/Deceleration Lanes.

For subdivisions or land developments accessing state routes, the Georgia Department of Transportation may require the installation of acceleration/deceleration lanes.

The City Engineer may require the installation of a deceleration lane for a distance of 200 feet and a 50 foot taper from all project entrances serving commercial and industrial subdivisions, and residential subdivisions serving fifty lots or more. For all commercial properties, if an acceleration/ deceleration lane is not required, the subdivider or land developer may be required to construct a wide flare entrance according to specifications of the City Engineer.

Section 529. Improvements to Abutting Streets.

For subdivisions and land developments that abut and access an abutting public street, the subdivider or land developer shall install sidewalk, street lights, street trees, other road improvements, and if required a deceleration lane, according to standards and specifications of the City Engineer along all abutting public streets. When a subdivision or land development uses an unpaved public right-of-way for access, the subdivider or land developer shall improve that right-of-way to a pavement width consistent with city street design standards. Said improvements shall be from the subdivision or land development entrance to the paved city street which the City Engineer determines will be the primary direction of travel for residents of the subdivision or occupants of the land development.

Where an impact on the safety of the motoring public may be in question as determined by the Administrative Officer, the Administrative Officer may require the developer to have a traffic impact study submitted and reviewed prior to issuance of a permit.

Section 530. Additional Technical Specifications.

As provided in Section 303 of this ordinance, the City Engineer is authorized to prepare and enforce technical specifications for various improvements, including streets. Unless otherwise indicated in such technical specifications, all of the materials, methods of construction, and workmanship for the work covered in reference to street construction shall conform to one or more of the following as appropriate and applicable:

- (a) The latest standard specifications of the Georgia Department of Transportation;
- (b) The latest edition of AASHTO *Policy on Geometric Design of Highways and Streets*; and/or
- (c) The *Manual on Uniform Traffic Control Devices for Streets and Highways* published by the Federal Highway Administration of the U.S. Department of Transportation.

ARTICLE VI PRIVATE STREETS

Section 601. Private Streets Permitted.

Private streets may, upon application, be permitted by the Governing Body within subdivisions, subject to the requirements of this article. Applications for approval of private streets shall be considered by the Governing Body. Following a recommendation by the Administrative Officer and City Engineer, the Governing Body shall consider the application and may impose conditions on the approval of private streets to ensure various public purposes and to mitigate potential problems with private streets. No final plat involving a private street shall be approved unless said final plat conforms to the requirements of this section.

Section 602. Engineering Plans Required.

It shall be unlawful for any person, firm, or corporation to construct a new private street or alter an existing private street or to cause the same to be done without first obtaining approval of land development plans from Administrative Officer and City Engineer in accordance with the requirements of this ordinance

Section 603. Standards for Private Streets.

All private streets shall be constructed in accordance with the Georgia Department of Transportation standards and as specified in Section 521 of this ordinance.

Section 604. Street Names and Signs.

Private streets shall be named, subject to the approval of the Administrative Officer. The subdivider of land involving a private street shall install street signs in accordance with the requirements of Section 523 of this ordinance. Said street sign shall contain the street name and an attached sign measuring six (6) inches wide and four (4) inches tall, signifying "Private Street". Said additional sign shall be "D.O.T. yellow" with black legends to be a different color than that of street signs provided for public streets, in order to distinguish maintenance responsibilities in the field.

Section 605. Easements.

Easements for private streets shall be designated on final plats as general purpose public access and utility easements, along with the name of said private street. Said easement shall at minimum be of the same width as that required for the right-of-way of a public street by the major thoroughfare plan and the City Engineer for the type of public street (local, collector, etc.) most closely resembling the proposed private street. Easements for private streets shall not be included in any calculation of minimum lot size or density maximums established by the city's zoning ordinance. In the cases of private streets, the general purpose public access and utility easement for the private street shall either (1) be shown in a manner on the final plat such that each lot fronting the private street extends to the centerline of the private street and such that no lot shall be permitted to be divided by the general purpose public access and utility easement required and established for a private street; or (2) it shall be drawn as its own discrete parcel to be dedicated to a private homeowners association (i.e., not shown to be a part of any lot).

Section 606. Maintenance.

The city shall not maintain, repair, resurface, rebuild, or otherwise improve streets, signs, drainage improvements or any other appurtenances within general purpose public access and utility easements established for private streets. A private maintenance covenant recorded with the County Clerk of the Superior Court shall be required for any private street and other improvements within general purpose public access and utility easements established for private streets. The covenant shall establish a maintenance organization, set out the distribution of expenses, remedies for non-compliance with the terms of the agreement, rights to the use of easements, and other pertinent considerations. The Covenant shall specifically include the following terms:

- (a) The Covenant shall establish minimum annual assessments in an amount adequate to defray costs of ordinary maintenance and procedures for approval of additional needed assessments. The Covenant shall also specify that the funds from such assessments will be held by a homeowners or property owners association (or other approved maintenance organization) in cases of a subdivision of seven (7) or more lots fronting on a private street.
- (b) The Covenant shall include a periodic maintenance schedule.
- (c) The Covenant for maintenance shall be enforceable by any property owner served by the private street.
- (d) The Covenant shall establish a formula for assessing maintenance and repair costs equitably to property owners served by the private street.
- (e) The Covenant shall run with the land.
- (f) The Governing Body may, at its discretion, as a condition of approving private streets, require a performance bond and/or maintenance bond be submitted by the subdivider and held by a homeowners or property owners association, or the Governing Body may require that the subdivider pay an amount of money as recommended by the City Engineer into an escrow account or other suitable account for the maintenance and repair of private streets and stormwater management improvements, to be drawn from by the homeowners or property owners association as maintenance and repair needs may arise.

Section 607. Specifications for Final Plats Involving Private Streets.

No final plat involving a private street shall be approved by the Director for recording unless and until it shall contain the following on the face of the plat:

- (a) Deed book and page reference to the recorded covenant required by this article.
- (b) "WARNING, the City of Cornelia has no responsibility to build, improve, maintain, or otherwise service the private streets, drainage improvements, and other appurtenances contained within the general public purpose access and utility easement or easements for private streets shown on this plat."
- (c) "Grant of Easement. The general purpose public access and utility easement(s) shown on this plat for private street(s) is hereby granted and said grant of rights shall be liberally construed to provide all necessary authority to the City of Cornelia, and to public or private utility companies serving the subdivision, for the installation and maintenance of utilities, including, but not limited to, electric lines, gas lines, telephone lines, water lines, sewer lines, cable television lines, and fiber optic cables, together with the right to

trim interfering trees and brush, together with a perpetual right of ingress and egress for installation, maintenance, and replacement of such lines.

Signature of Property Owner”

- (d) The following certificate of dedication shall be required.

“Certificate of Dedication. All water and sewer lines installed within the general purpose public access and utility easement(s) shown on this plat for private street(s) are hereby dedicated to the City of Cornelia, upon its formal acceptance.

Signature of Property Owner”

Section 608. Purchaser’s Acknowledgement.

Prior to the sale or as a condition of the closing of a real estate transaction involving any lot served by a private street in the city, the subdivider or seller of said lot shall execute a notarized purchaser’s acknowledgement of private street construction and drainage maintenance responsibilities as set forth below. A copy of the purchaser’s acknowledgement shall be retained by the purchaser and shall be required to be submitted as a condition of a building permit for a principal building on said lot:

“Purchaser’s Acknowledgement of Private Street and Drainage Maintenance Responsibility.

(I) (We) have read the Declaration of Covenant which pertains to the lot that is the subject of this real estate transaction _____ (insert address or attach legal description). (I) (We) understand that the Declaration of Covenant applies to the lot that (I am) (we are) purchasing and requires (me) (us) to provide a specified percentage or amount of the financing for the construction and maintenance of any private street and drainage facilities serving the lot which (I am) (we are) purchasing, and that owners of other lots in this plat may sue for and recover those costs which this covenant requires (me) (us) to pay, plus their damages resulting from (my) (our) refusal to contribute, plus reasonable attorneys fees. (I) (we) further understand that the City has no obligation to assist with the maintenance and improvement of the private street, drainage facilities, and other appurtenances within the general purpose public access and utility easement for the private road serving the lot in question. I (we) understand that a copy of this purchaser’s acknowledgement shall be required as a condition of the issuance of a building permit for a principal building on the lot (I am) (we are) purchasing.

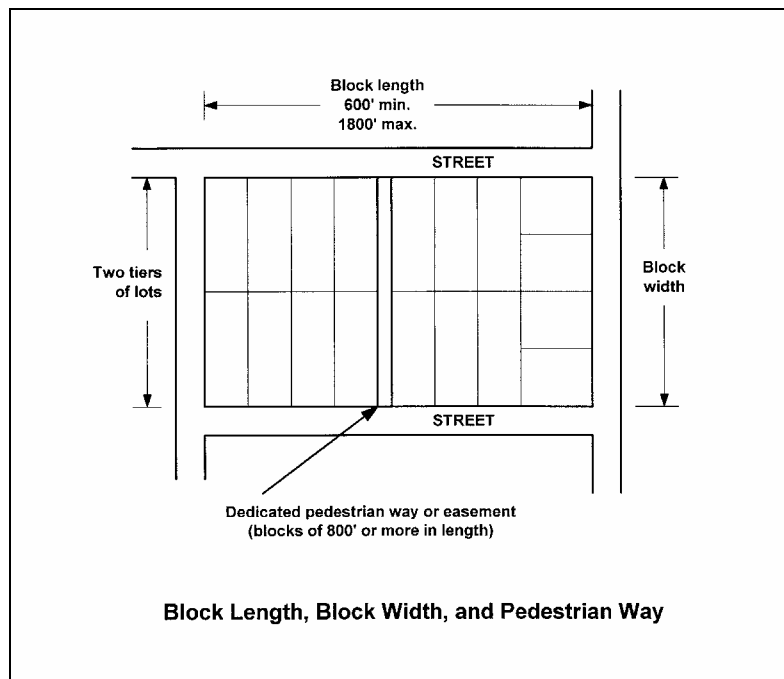
Purchaser”

ARTICLE VII DESIGN REQUIREMENTS FOR BLOCKS AND LOTS

Section 701. Block Lengths and Widths.

Intersecting streets shall be provided at such intervals so as to provide adequate cross traffic. Blocks in residential subdivisions should not exceed one thousand eight hundred (1800) feet nor be less than six hundred (600) feet in length, except where topography or other conditions justify a departure from these standards. In blocks longer than eight hundred (800) feet, pedestrian ways and/or easements through the block shall be required by the Administrative Officer near the center of blocks.

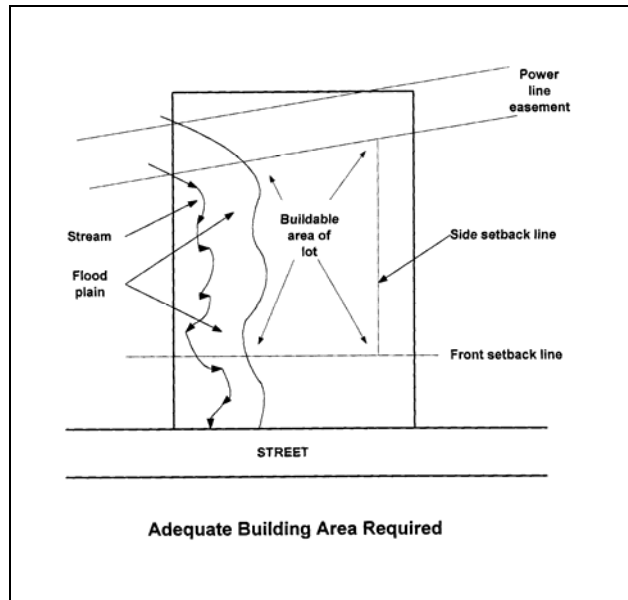
The width of the block shall normally be sufficient to allow two (2) tiers of lots of appropriate depth. Blocks intended for business or industrial use shall be of such width as to be considered most suitable for their respective use, including adequate space for off-street parking and deliveries.



Section 702. Lot Width and Size.

- (a) Residential lots shall meet the lot width and lot area requirements of the Zoning Ordinance of the City of Cornelia. Residential lots should have a depth not greater than 3 times the width of the lot at the building line, unless unusual circumstances make these limitations not practicable. Residential corner lots shall have adequate width to meet building setback requirements from both abutting streets.
- (b) Where individual septic tanks are used, the Habersham County Health Department shall approve minimum lot sizes to conform to health standards of the Georgia Department of Public Health.
- (c) Commercial and industrial lots shall be adequate to provide service areas and off-street parking suitable to use intended.

- (d) Each lot shall contain an adequate building site not subject to flooding and outside the limits of any existing easements or required yards/ building setback lines.



Section 703. Lot Lines.

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

Section 704. Building Lines.

A building line meeting the front yard/ building setback requirements of the Zoning Ordinance, as a minimum, shall be established on all lots.

Section 705. Double and Reverse Frontage Lots.

Double (or multiple) frontage and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or overcome specific disadvantages of topography or orientation. A planting screen easement of at least ten (10) feet, across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

Section 706. Flag Lots.

Flag lots which meet minimum lot area requirements and meet the minimum lot width at the front building setback line where the building is placed may be allowed where terrain makes standard design or frontage impossible or impractical. Where such lots are allowed, the street frontage of each panhandle portion of the lot shall not be less than thirty (30) feet wide, and the panhandle portion of the lot shall be not more than two hundred (200) feet long. Not more than two (2) such panhandle access points shall abut each other.

Section 707. Lot Remnants Not Permitted.

All remnants of lots below any minimum lot size which may be required, left over after subdividing of a larger tract, must be added to adjacent lots, rather than allowed to remain as unusable parcels. The Administrative Officer may permit a lot remnant for a specific purpose such as a detention pond, provided that access and design is appropriate and the lot remnant is restricted to specific non-building use.

Section 708. Monuments.

For all subdivisions, a Georgia registered land surveyor shall install permanent survey monuments at all property corners and land lot lines, prior to final plat approval. Lot corners shall be marked with metal rods not less than 1/2" in diameter and 18" in length and driven so as to be stabilized in the ground. Permanent survey monuments shall also be installed in accordance with the most recent edition of Section 180-7-.05 Monument of the Rules of State Board of Registration for Professional Engineers & Land Surveyors and the Georgia Plat Act (O.C.G.A. 15-6-67).

ARTICLE VIII STORM DRAINAGE AND UTILITIES

Every subdivision and land development, except in those cases that are specifically exempted from the requirements of this ordinance, shall be required to have installed the following subdivision improvements.

Section 801. Easements.

Where a subdivision or land development is traversed by a watercourse, drainage way, channel or stream, there shall be provided a stormwater or drainage easement of minimum twenty (20) feet in width. Easements shall be provided for all drainage facilities as approved by the City Engineer. Where easements are needed for utility locations, they shall be provided by the subdivider or land developer to the appropriate utility provider. Easements having a minimum width of fifteen (15) feet shall be provided, where required for utility lines, storm drains, and underground mains and cables. Where easements are needed for public water and/or sanitary sewer lines, they shall be provided as determined appropriate by the City Engineer. All easements required pursuant to this section shall be shown on the preliminary plat if required, final plat if required, and land development plans.

Section 802. Storm Drainage System.

The storm drains along with catch basins and manholes shall be installed in compliance with the plans and specifications, and as indicated herein.

1. Every subdivision or land development shall be served by storm drainage facilities to be sized and certified by a professional engineer, including drains, sewers, catch basins, culverts and other facilities as required by standards and specifications of the City Engineer.
2. All drainage facilities shall be so designed to serve the entire drainage area in which these facilities are located. All street drains serving lots in the subdivision shall be installed by the subdivider. A formula may be developed by the City Engineer to provide for a sharing of the cost of other drainage facilities needed to serve the subdivision when certain of the required drainage facilities are necessary to serve other subdivisions in the same drainage basin.
3. Storm sewers, where required, shall be designed by the rational formula, as defined in this ordinance, or other methods as approved by the City Engineer, and a copy of design computations shall be submitted along with required plans. Capacity for a 10-year storm or rain shall be provided for all street drainage structures such as catch basins, inlets cross drains, etc. Capacity for a 100-year frequency storm event shall be provided for all main drainage structures such as retention basins, principal storm sewers, and all types of flood protection works.
4. All surface water drainage shall be transported to existing storm sewers or to drainage facilities approved by the City Engineer. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot or land development site to adjacent lots, land development sites, or vacant properties. Storm water shall not be discharged directly to perennial streams. It shall be directed toward natural drainages. If water must be

discharged to a stream, the water quality flowing into the stream must meet or exceed the water quality in the receiving waters. The water quantity flowing into the stream must be evaluated to ensure the stream channel can accommodate the increased flows and not disrupt or degrade the ecology of the water body.

5. Whenever drainage ditches are used, such ditches shall retain natural design characteristics and be so designed that they do not present a hazard to life and safety or create erosion problems.
6. All drainage features shall be in accordance with standards and specifications of the City Engineer, and no extension shall be made from the street drainage through the abutting property without approval of the City Engineer.
7. When the construction of a proposed public road makes it necessary to cross a storm drain, the developer shall provide and install the required size and length of an acceptable grade of pipe. The length of the pipe required shall be measured from a point 60 feet to the rear of the established building line on the upstream side of the road to a point 60 feet beyond the building line on the downstream side of the road and in no case shall the extension be less than 30 feet from the rear of any proposed dwelling; provided, however, the drain runs through building lots proposed to be platted.
 - a. In cases where the developer or owner chooses not to develop the land through which the drain runs, then the trench may be left open, however, in such cases the plat must be so marked and a permanent easement shown thereon, indicating that no building or driveway shall be built over or within forty (40) feet of the open drain.
 - b. Where the developer chooses to leave the drain open and same is crossed by a driveway, the size of pipe shall be determined by the City Engineer and no building permit will be approved unless the installation meets the requirements of the City Engineer.
 - c. Notwithstanding the above controls, the Administrative Officer may refuse to issue a building permit on any lot or lots where the land is subject to floods or where, in the opinion of the City Engineer, the topographic features of the property are such that a building could not be properly maintained on the lot.
8. Cul-de-sacs shall be provided with adequate drainage structures such as catch basins and storm drainage piping to minimize soil erosion. All drainage structures are to be designed by a Professional Engineer and approved by the City Engineer.

Section 803. Water System.

All polyvinyl chloride (PVC) pressure piping, ductile iron pipe (DIP), radio read meters and water mains shall be installed along with a service connection for each lot or land development and be in operating condition prior to final plat approval if required and paving installation. This system shall be connected to the City water system or a source accepted by the Habersham County Health Department. All pipes, valves, and other components shall conform to City and County Health Department specifications and regulations and City Engineer.

Section 804. Fire Hydrants.

Fire hydrants shall be located and set in accordance with City specifications. Fire hydrants shall be required for all nonresidential land developments and all subdivisions. Fire hydrants with appropriate water pressure at appropriate intervals throughout the subdivision or land development shall be provided by the subdivider or land developer as required by the city Fire Department. The subdivider or land developer as required by the city Fire Department shall provide fire hydrants with appropriate water pressure at appropriate intervals throughout the subdivision or land development. All Fire hydrants shall have a six (6) inch gate valve installed. Fire hydrants shall be located no more than 1,000 feet apart and within 500 feet of any principal dwelling. Hydrants, fittings, valves and fire department connections shall be approved by the Fire Department. Fire department connections shall be not less than 18 inches or more than 36 inches above the level of the adjoining ground or paving. The thread of such connections shall be uniform with that used by the Fire Department. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves, and all other supply improvements shall be installed before any final paving of a street within the right-of-way shared by such underground utilities.

No person shall attach a hose, pipe or other mechanism to a city fire hydrant or open a fire hydrant without first obtaining a hydrant meter or written permission from the water and sewer department except in the case of a fire.

Section 805. Sanitary Sewerage System.

When in the written opinion of the City Engineer, public sanitary sewers are within reasonable access of the subdivision or land development, the subdivider or land developer shall provide sanitary sewer services to each lot within the bounds of the subdivision, or to the land development. All sewers serving lots in the subdivision shall be installed by the subdivider. . A formula may be developed by the City Engineer to provide for a sharing of the costs of other sewer facilities needed to serve the subdivision or land development when certain of the required sewer facilities are necessary to serve other subdivisions or land developments in the same drainage basin.

When in the written opinion of the City Engineer, a public sanitary sewer is not accessible, an alternate method of sewage disposal for each lot or the land development may be used when in compliance with the standards of the Habersham County Health Department. If public sewerage is not available, but is expected to be available within a reasonable time period after completion of the subdivision or land development, an alternate method for sewage disposal for individual lots or the land development will be required on an interim basis. In this instance, unless otherwise determined by the Governing Body, the developer will be required to construct a complete sanitary sewer system for the subdivision or land development, including outfall lines, street sewers, and service stubs to individual lots. All sewers will be plugged and otherwise protected to insure serviceability at the time of connection to the public system, and will conform to the specifications of the City of Cornelia.

Section 806. Utilities.

The gas system and any other underground utilities system when it is to be installed in a subdivision or land development shall be installed along with service connections before any paving is laid. All utility facilities, including but not limited to gas, electric power, telephone, and cable television, shall be located underground throughout the subdivision or land development. Whenever existing utility facilities are located above ground, except when existing on public roads and rights-of-way, they shall be removed and placed underground.

ARTICLE IX CORRIDOR MAP

Section 901. Corridor Map Adoption.

A "Trail Parks" map is hereby adopted and made a part of this Ordinance. Prior to adoption of the corridor map, the following actions have been taken to ensure procedural due process:

- (a) At least fifteen (15) days before the public hearing, the Governing Body notified the public of the date, time, place, and nature of a public hearing on this ordinance by publication in a newspaper of general circulation in the territory of the local government.
- (b) The Governing Body held the public hearing at the date, time, and place advertised, and afforded all interested individuals with the opportunity to be heard concerning the proposed corridor map.

Section 902. General Provisions.

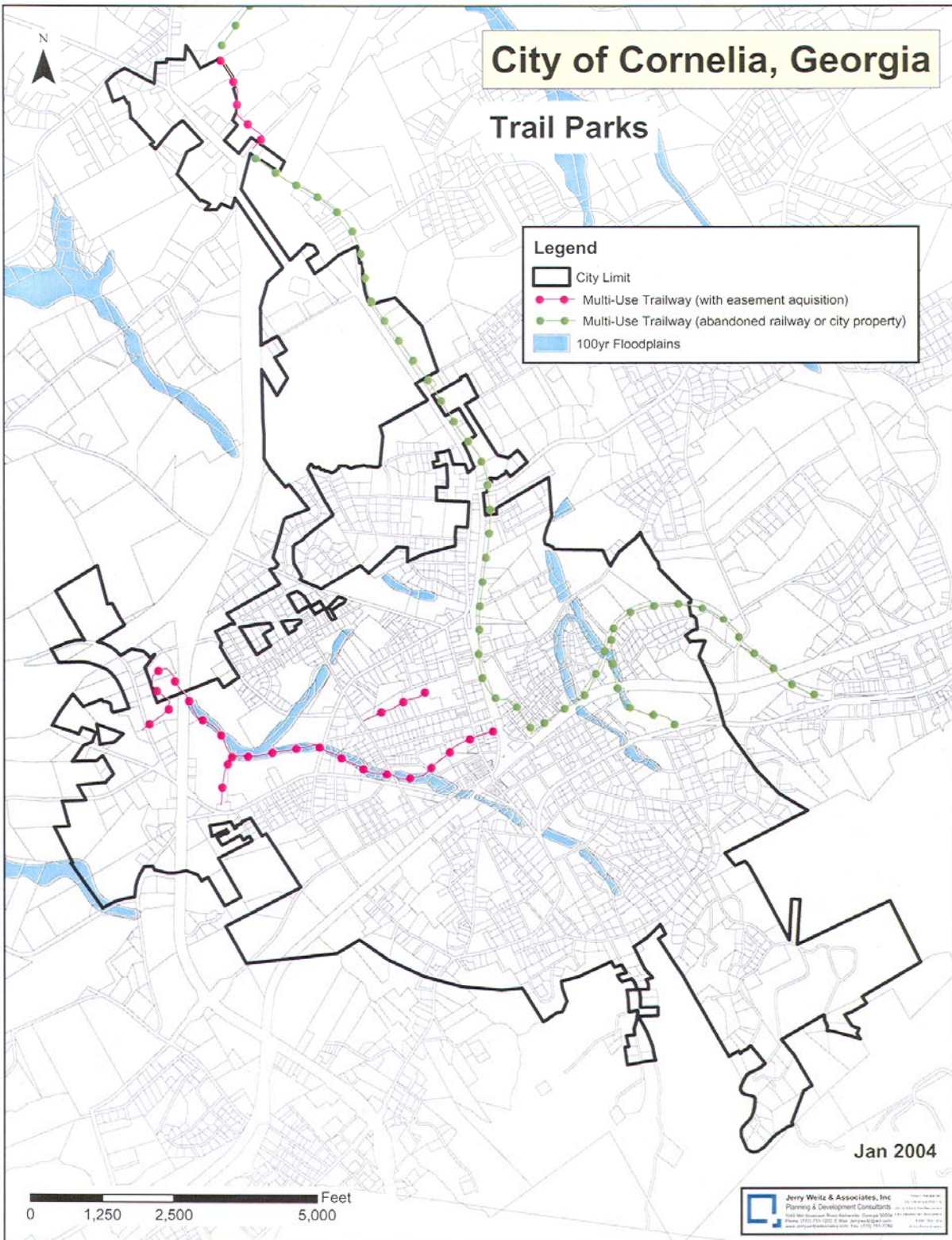
The city shall not issue a development permit, building permit, or any other permit for development except pursuant to the procedure and in compliance with this Article. This Article does not forbid or restrict the use of any reserved land that does not constitute the development of that land, nor does this Article forbid or restrict development on the unreserved portion of any reserved land.

Section 903. Authorization Required to Develop Reserved Land.

An owner of land shown on the corridor map for future public use who proposes to develop such reserved land shall apply to the Administrative Officer for the appropriate permit. It shall be unlawful to carry out development upon land shown as reserved or for public use on the corridor map, without securing the appropriate approval as required by this Ordinance.

Section 904. Public Hearing and Notice.

Upon receiving an application for a permit involving shown on the corridor map, the Administrative Officer shall arrange for the application to be scheduled for public hearing before the Governing Body. The applicant shall be notified in writing of the date, time, and place of the hearing within five business days of receipt of the application, by written mail, personal service, or facsimile, at least fifteen (15) days prior to the public hearing. The public shall be given notice by publication in a newspaper of general circulation in the territory of the local government at least fifteen (15) days prior to the public hearing of the date, time, place, and nature of the hearing. The applicant shall, at the hearing, have an opportunity, personally or through counsel, to present evidence and argument in support of his or her application, as shall others with an interest in the application.



Section 905. Action.

Following the public hearing, the Governing Body may take one of the following actions:

- (a) Approve the request as proposed, with or without conditions.
- (b) Modify the mapped corridor to remove all or part of the reserved land from the mapped corridor, and issue with or without conditions the permit authorizing development on the land removed from the mapped corridor.
- (c) Modify the proposed application and issue it for development as modified, with or without conditions, if the development can reasonably be accomplished on the subject parcel without encroaching on the reserved land.
- (d) Delay action on the permit for a defined period of time not to exceed six (6) months for the purpose of any of the following:
 - 1. Negotiating with the property owner for the purchase of all or a part of the reserved land by the governmental agency responsible for the transportation facilities.
 - 2. Acquiring the reserved land voluntarily.
 - 3. Acquiring a negative easement over the reserved land that prevents the property owner from building on the reserved land.
 - 4. Taking the reserved land through eminent domain.

Section 906. Authority to Acquire for Reserved Land for Public Use.

After delaying action on the permit by the city, the Governing Body may, but shall not be obligated to, negotiate for the voluntary dedication of the land, enter into option, or it may initiate condemnation proceedings subject to applicable state law and use its powers of eminent domain.

Section 907. Final Action on Permit.

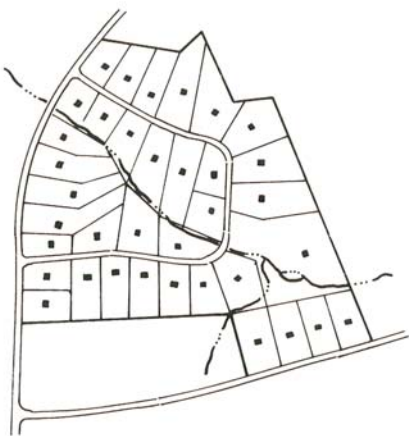
If the Governing Body fails to arrange for the legal acquisition of all or a part of the land shown for public use on the corridor map within the specified time period which shall not exceed six (6) months, then the city shall approve the permit, with or without conditions, or in the absence of such approval the permit shall be deemed approved as submitted.

ARTICLE X CONSERVATION SUBDIVISIONS

Section 1001. Purpose and Intent.

This Article is intended to provide for residential subdivisions that are designed based first and foremost on the preservation of open space, but that accommodate the full extent of development that would otherwise be legally possible under conventional subdivision designs, and that:

- (a) Minimize the environmental and visual impacts of new development on critical resources and historically and culturally significant sites and structures.
- (b) Contribute to an interconnected network of permanent open space in the community and provide for undivided or relatively undivided open spaces within new developments.
- (c) Create a greater diversity of living environments than is possible with conventional residential subdivision developments.
- (d) Foster informal social interaction among neighborhood residents in common open spaces.
- (e) Reduce the demand on public expenditures for open space, parkland, play fields, and other areas for active and passive recreation.
- (f) Encourage compact patterns that reduce capital costs by requiring less linear footage distances of roads and utilities than conventional subdivision development.
- (g) Offer greater opportunities to implement environmentally sensitive sewage treatment and disposal systems.



Conventional Subdivision



Conservation Subdivision

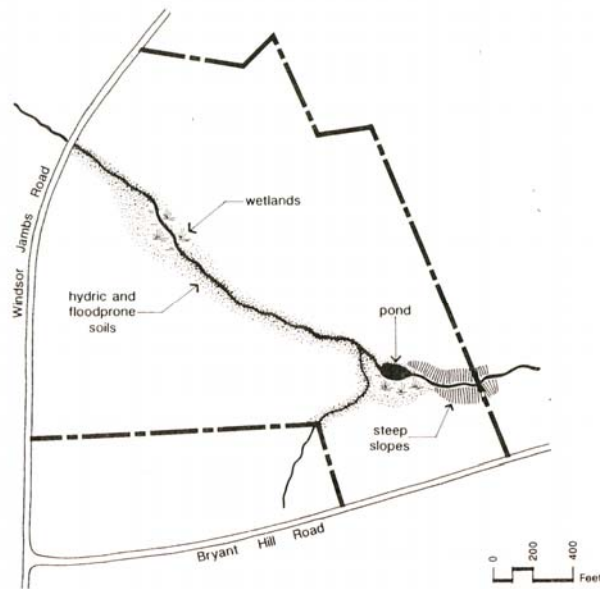
Section 1002. Relationship to Subdivision Regulations.

Conservation subdivisions shall be considered and processed in accordance with preliminary and final plat requirements as specified in this ordinance, except that in addition the criteria for approval and grounds for disapproval as provided in this Article shall also apply to decisions on preliminary plats. Conservation subdivisions shall meet the improvement requirements of this ordinance. Where design considerations for lots and blocks are more specifically recommended in this Article, they shall be considered applicable recommendations in lieu of those found in other Articles of this

ordinance which would otherwise be applied.

Section 1003. Primary Conservation Areas.

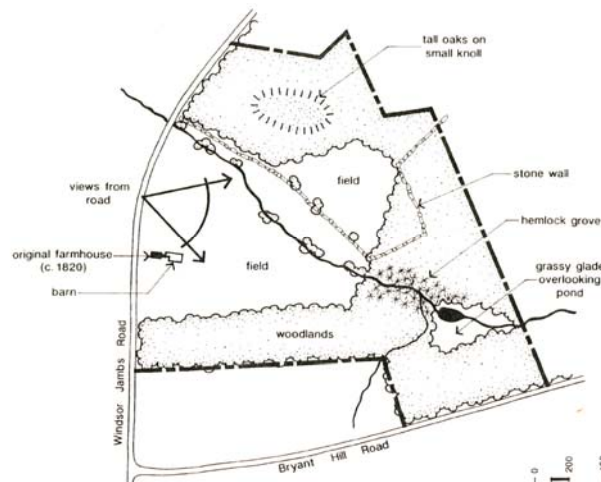
Primary conservation areas on lands in conventional subdivisions are permitted to be platted and included in adjacent residential lots. In contrast, a conservation subdivision incorporates, and shall include, all primary conservation areas into undivided or relatively undivided, permanent, open spaces. Primary conservation areas, as defined by this Article, include the following: habitats for endangered or threatened species, wetlands, groundwater recharge areas, flood plains, water bodies, shorelines, and adjacent riparian zones or upland buffers, historic, cultural, and archaeological sites, and steep slopes.



Primary Conservation Areas

Section 1004. Secondary Conservation Areas.

Secondary conservation areas on lands in conventional subdivisions are rarely identified and conserved. In contrast, a conservation subdivision identifies, and shall identify, secondary conservation areas and shall integrate all or a portion of them into undivided or relatively undivided, permanent, open spaces.



Secondary Conservation Areas

Section 1005. Required Open Space Specifications.

- (a) Minimum Percent of Site Area. Each conservation subdivision shall provide a minimum of twenty percent (20%) of its total land area as open space, as defined by this ordinance. Areas of above-ground utility right-of-way must be excluded from the minimum.

- (b) Minimum Size. The minimum amount of open space required to qualify for an open space conservation subdivision shall be one and one-half (1.5) contiguous acres. The purpose of this minimum open space acreage is to avoid development proposals that provide only small, scattered open spaces that would not functionally contribute to the overall open space network of the surrounding area.
- (c) Permitted Uses. In the case of farmland conversion, part of the open space within a conservation subdivision may be permitted to be retained in the hands of the original farmer/landowner or leased to a farmer for agricultural, pasture, or horticulture uses, so long as the activity is undertaken using best management practices to reduce environmental impacts to the extent possible. Open space may not be used for golf courses, roadways, or water impoundments. No more than 25% of the open space may be used for active recreation spaces. Uses not expressly authorized via the preliminary plat review and approval process are prohibited.
- (d) Open Spaces Shall Be Named. Each open space shall be given a name appropriate to its purpose and design. Acceptable identifying types of names for open spaces include but are not limited to "Common," "Park," "Green," "Meadow," "Woods," "Farm," and "Historic Site."

Section 1006. Conservation Easement Required.

All primary conservation areas, and all secondary conservation areas shown on the preliminary plat and required or proposed to be retained as open space, shall be permanently protected from further subdivision, development, and unauthorized use by a conservation easement. A conservation easement, as defined, shall be approved by the City and 1) co-signed by the City and donated to a conservation organization or land trust; or 2) co-signed by the City, donated to a homeowners association and co-signed by a conservation organization or land trust; or 3) donated to the City if accepted by the City and co-signed by a conservation organization or land trust. In the case of farmland conversion, part of the open space within a conservation subdivision may be permitted to be retained in the hands of the original farmer/landowner if subject to a conservation easement meeting the requirements of this Article.

Section 1007. Guidelines for Drafting Conservation Easements.

The following guidelines are offered for drafting conservation easements and may be required by the City of Cornelia:

- (a) The easement recognizes and describes in a statement of purpose the special qualities of the property subject to the easement. The easement must include a map of the tract noting all significant features within the area. The easement clearly identifies the owner of the property subject to the easement, the holder of the easement, and co-signer, and the responsibilities of the property owner, easement holder, and co-signer.
- (b) The easement specifically and clearly identifies the boundaries of the property subject to the easement, preferably by metes and bounds legal description and survey plat.
- (c) The easement contains restrictions as to what the owner may do with the property and specifically delineates what may not be done with the property. Limitations may include but may not be confined to prohibitions against subdivision, earthmoving, dumping, signs, utility lines, construction, changes to existing structures, and uses made of the property.

- (d) The easement provides for the right of the easement holder and co-signer to inspect the property to assure observance of restrictions. It also provides for enforcement procedures.
- (e) The easement provides for the maintenance of property.
- (f) The easement contains provisions governing its amendment, including provisions that the easement shall not be altered except with the express written permission of the easement holder, property owner, and any co-signers.

Section 1008. Homeowners Association.

Open spaces may be owned and managed in common by a homeowners association, subject to compliance with the provisions of this Article and the following requirements:

- (a) The developer of the conservation subdivision shall provide to the Administrative Officer for approval, prior to the approval of a preliminary plat, a description of the homeowners association, including bylaws and methods for maintaining open space. The developer of the conservation subdivision shall provide a property management plan or an estimate of the costs and staff requirements for the maintenance, operation, and insurance of the open space and any facilities it includes in the description of methods for maintaining the subdivision's open space.
- (b) The homeowners association shall be established by the conservation subdivision developer and endowed with a financial subsidy from the developer prior to the approval of a final plat on the property involving a conservation subdivision.
- (c) Homeowners association membership of each non-open space lot owner in the conservation subdivision shall be mandatory (required) and automatic.
- (d) Unless maintenance is assigned to a conservation organization or land trust, the homeowners association shall be responsible for maintenance, insurance, and taxes on the open space within the conservation subdivision. In such cases, the association shall be required to assess dues for the maintenance of open space, purchase of insurance, and payment of taxes, unless another income source is proven to be available. Members of the association shall share equitably the costs of open space maintenance as indicated in bylaws. The association shall be empowered with the legal ability to place liens on non-open space lot owners for failure to pay association dues.
- (e) Said homeowners association shall not be dissolved without the consent of the Governing Body. If common ownership of open spaces by a homeowners association is proposed and approved, then open spaces shall be subject to permanent deed and final plat restrictions or covenants on the future use, development, and subdivision of open spaces, in addition to the requirement of a conservation easement.
- (f) The Governing Body may, upon recommendation of the City Attorney and the City Engineer, require that the homeowners association establish a minimum amount of funds to be initially deposited and maintained in a maintenance account.

Section 1009. Fee Simple Dedication to the City.

Dedication in fee-simple ownership to the public for recreational and/or open space use is a possible mechanism for the permanent retention and maintenance of open spaces within the conservation subdivision, at the sole discretion of the Governing Body, and subject to the following in addition to other applicable provisions of this ordinance:

- (a) Dedication to the City shall only be approved if the Governing Body finds that the size, shape, location, type of open space, or cost of development or maintenance of such open space or the availability of open space would make public ownership desirable or necessary.
- (b) The decision to accept open spaces for fee simple public ownership shall be at the sole discretion of the Governing Body but guided by recommendations of the Administrative Officer, Municipal Planning Board, and the comprehensive plan as it pertains to open space acquisition.

The Governing Body may require a maintenance bond or other financial security with duration of twelve (12) months following public acceptance in an amount sufficient to ensure that such lands do not cause unwarranted public expenditures because of faulty conditions or construction. The Governing Body shall have authority to cash said bond in the event substandard conditions are evident. Otherwise, following the one-year period following public dedication, with satisfactory performance, the Governing Body shall upon request return the performance bond to the subdivider.

In addition to the required conservation easement, a deed for open space lands in a form acceptable to the City Attorney in favor of the City shall be signed and recorded prior to the approval of any final plat pertaining to land within the conservation subdivision.

Section 1010. Application.

As a part of the preliminary plat application, the applicant for a conservation subdivision shall in addition to the requirements for preliminary plats specified in this ordinance, submit an analysis of existing features on the site, which shall minimum include the following:

- (a) Significant wildlife habitats, if any. If information on habitats is not available, the wildlife potential of various soil types on the site shall be identified and examined.
- (b) Soils, including analysis of suitability for septic tanks, erosion potential, prime farmland, and identification of hydric soils.
- (c) Wetlands.
- (d) Floodplains. Areas of 100-year flood plains as identified on flood hazard boundary maps or flood insurance rate maps developed by the Federal Emergency Management Agency.
- (e) Steep slopes and protection mountain and hillside areas.
- (f) Historic, archaeological, and cultural features.
- (g) Tree cover/woodlands.
- (h) Views into and out from the site, and any scenic qualities.
- (i) Groundwater recharge areas.
- (j) Protected river corridors.
- (k) Water supply watersheds.
- (l) Property boundaries.
- (m) Existing roads and structures.
- (n) Greenspaces and trails traversing or adjacent to the site.
- (o) Planned boundaries of open space.

Section 1011. Consideration.

Approval or denial of a preliminary plat for a conservation subdivision shall, be based on the extent to which the plat meets the following criteria:

- (a) All primary conservation areas are protected as permanent open space.
- (b) A sufficient amount of secondary conservation areas are protected as permanent open space, as opposed to being devoted to lots and other uses.
- (c) The configuration of the open space tract is contiguous and undivided, or open space is provided in relatively undivided tracts that cannot reasonably be reconfigured into one contiguous, undivided tract.
- (d) The conservation subdivision meets the regulations specified in this Article.

Section 1012. Justifiable Grounds for Denial.

Reasons for the denial of a preliminary plat of a conservation subdivision include but are not limited to the following:

- (a) The application fails to fully identify primary and secondary conservation areas.
- (b) The proposed method of sewage treatment is inappropriate for the site or found to be potentially dangerous to public health.
- (c) One or more of the lots within the conservation subdivision are too small to be in character with residences on adjoining or nearby properties.
- (d) One or more of the lots are significantly large or wide, such that their design contributes to an unnecessary decrease in the amount of open space retained on site.
- (e) The street configuration does not provide for connectivity, or preserve natural features, or it is found to be inconsistent with the open space character of the subject property and its surroundings.
- (f) The proposed open space network is divided, not functional, inconsistent with open space plans of the City, or does not provide for the protection of the most valuable secondary conservation areas on the site given the natural and scenic properties inherent on the site.
- (g) The proposed open space network fails to maximize the length of the common boundary between conservation areas on site and conservation areas or parkland abutting the conservation subdivision.

ARTICLE XI ADMINISTRATIVE AND LEGAL STATUS PROVISIONS

Section 1101. Administration and Interpretation.

The Administrative Officer shall administer and interpret the provisions of these Regulations.

Section 1102. Appeal.

Any person aggrieved by an interpretation or decision in the administration or enforcement of this ordinance may file an appeal in accordance with the appeal provisions of the city zoning ordinance.

Section 1103. Variances.

The Governing Body after review and recommendation from the Municipal Planning Board is authorized to receive, consider, grant, grant with conditions, or deny applications for variances to the requirements of this ordinance, after a public hearing and after making written findings of fact that the conditions for variances specified herein have been fulfilled. In granting a variance, the Governing Body may impose such requirements and conditions with respect to the location, construction, maintenance and operation of any use or building, in addition to those expressly set forth herein, as may be deemed necessary for the protection of adjacent properties and the public interest.

A request for a variance may be initiated by a property owner or his authorized agent by filing an application with the Administrative Officer. The application shall be accompanied by a site plan, drawn to scale, showing the dimensions and arrangement of the proposed development. The Administrative Officer may require other drawings or materials essential to an understanding of the proposed use and variance requested and its relationship to the surrounding properties. Variance applications shall be accompanied by a fee as established by the Governing Body by resolution from time to time.

The following criteria shall be considered in the granting of a variance to the requirements of this ordinance:

- (a) There are unusual, exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other property in the same vicinity or use district, and such conditions are not the result of the owner's or occupant's own actions. Such conditions may include topography, unique natural conditions, surroundings of the subject property, or the size or peculiar shape of the lot.
- (b) As a result of such unusual circumstance or conditions, there is an unnecessary hardship or practical difficulties that render it difficult to carry out the provisions of this code.
- (c) The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which property is located, and the variance will be in harmony with the general purposes and intent of the provisions of this code.

- (d) The variance approved is the minimum variance that will make possible the legal use of the lots, land, building or structure.

Upon the filing of any complete application for a variance with the Administrative Officer, a public hearing shall be scheduled and held on the proposed variance. Notice of the public hearing shall be given the same as required for a rezoning per the city's zoning ordinance.

Section 1104. Violation and Penalty.

Any person, firm, or corporation violating any of the provisions of these Regulations shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished as allowed under the City of Cornelia Code of Ordinances 7-1.

In any case where any land is, or is proposed to be, used in violation of these Regulations, the City may, in addition to other remedies provided by law, seek injunction, abatement, or any appropriate action, or proceeding to prevent, enjoin or abate such unlawful use.

Section 1105. Amendment.

This ordinance may be amended. Before enacting such amendment, the Governing Body shall hold a public hearing thereon, notice of which shall be published at least fifteen (15) days prior to such hearing in a newspaper of general circulation in the City.

Section 1106. Severability.

Should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such adjudication shall not affect the validity of this ordinance as a whole or any part thereof other than the part so declared to be invalid, each section, clause, and provision thereof being declared severable.

Section 1107. Repeal of Previous Ordinances.

All previous ordinances adopted for the same purpose are hereby repealed.

Section 1108. Effective Date.

This ordinance shall take effect and be in force from and after the adoption and enactment of this ordinance, the public health and welfare demanding it.

Attested

Mayor, City of Cornelia

EXHIBIT A

**INDEMNIFICATION AGREEMENT
REQUIRED FOR GRADING PERMIT**

INDEMNIFICATION AGREEMENT

THIS AGREEMENT, made this ___ day of _____, _____, between ___ (Developer), hereinafter referred to as "Indemnitor", and the City of Cornelia, a political subdivision of the State of Georgia, hereinafter referred to as "City Indemnitee."

For good and valuable consideration, receipt of which is acknowledged, it is hereby agreed:

Section 1. Liability, Loss or Damage. Indemnitor hereby agrees to indemnify the City of Cornelia and hold the City of Cornelia harmless from any and all damage which the City of Cornelia may suffer and from any and all liability, claims, demands, attorney's fees and costs of defense, or judgment against it, arising from the increase of flow and diversion of flow of water resulting from the development of the _____ Subdivision being more particularly described as indicated on the attached plat or metes and bounds legal description.

Section 2. Duration. Indemnity under this agreement shall commence on the date of execution hereof and shall continue in full force for a period of two (2) years from said commencement date.

Section 3. Requirement of Notice to Indemnitor. City of Cornelia agrees to notify Indemnitor in writing of any claim of the City of Cornelia for loss or damage or of any claim made against the City of Cornelia on the obligation indemnified against.

IN WITNESS WHEREOF, the parties have executed this agreement at Cornelia, Georgia, the day and year first above written.

By: _____
Developer

By: _____
City of Cornelia