

**SUBDIVISION REGULATIONS**

**for the**

**CITY OF LAKE PARK, GEORGIA**

**Adopted February 7, 1989**

\*\* As amended through May 2, 2006

*Prepared and Maintained by*

Greater Lowndes Planning Commission  
South Georgia Regional Development Center

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A RESOLUTION REGULATING THE SUBDIVISION OF LAND IN LAKE PARK, GEORGIA: REQUIRING AND REGULATING THE PREPARATION AND PRESENTATION OF PRELIMINARY AND FINAL PLATS FOR SUCH PURPOSE; ESTABLISHING MINIMUM SUBDIVISION DESIGN STANDARDS; REQUIRING IMPROVEMENTS TO BE MADE BY THE SUBDIVIDER; SETTING FORTH THE PROCEDURE TO BE FOLLOWED BY THE PLANNING COMMISSION IN APPLYING THESE RULES, REGULATIONS, AND STANDARDS; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

BE IT RESOLVED by the City Council of the City of Lake Park, Georgia:

## ARTICLE I

### SHORT TITLE, PURPOSE, AND JURISDICTION

**1-1 Short Title.** This resolution shall be known as the "Land Subdivision Regulations of Lake Park."

**1-2 Purpose.** This resolution is enacted pursuant to the authority contained in the Constitution of the State of Georgia, as amended for the following purposes:

- a. To encourage economically sound and stable land development.
- b. To assure the provision of required streets, utilities, and other facilities and services to land developments.
- c. To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in land developments.
- d. To assure the provision of needed public open spaces and building sites in land developments through the dedication or reservation of land for recreational, educational, and other public purposes.

**1-3 Jurisdiction.** These regulations shall govern all subdivision of land within the incorporated areas of Lake Park, Georgia.

**ARTICLE II****DEFINITIONS****2-1 Definitions.**

When used in this resolution the following words and phrases shall have the meaning given in this section. Terms not herein defined shall have their customary dictionary definitions where not inconsistent with the context. The term "shall" is always mandatory. When not inconsistent with the context, words used in the singular number include the plural, and those used in the plural number include the singular. Words used in the present tense include the future. The Planning Commission's interpretation shall be final as to the meaning of any definition, statement, requirement, symbol, and/or abbreviation used in connection with these regulations and/or their application.

**2-2 Alleys.** A public right-of-way, not intended to be a vehicular arterial or to provide the primary means of access to abutting property, but used for service access to the rear or side of properties otherwise abutting a public street.

**2-3 Building Line.** A line beyond which no foundation wall or part of the structure of any building shall project, with the exception of roof overhang, walkways, and the subsurface projections of footings; provided, however, that such overhang does not exceed 6 feet and does not encroach upon the adjacent property or right-of-way.

**2-4 City.** City of Lake Park, Georgia.

**2-5 City Council.** Lake Park City Council.

**2-6 City Manager.** Lake Park, Georgia City Manager.

**2-7 City Engineer.** The official to whom the responsibilities normally associated with this title have been delegated. Such wording would allow Lake Park the flexibility to assign the task either contractually or by future agreement with Lowndes County or any other party (or internally to staff if the City creates that position). *(Adopted by Lake Park Mayor/Council May 2, 2006 – P. C. File # LP-2006-04)*

**2-8 Commissioner of Health.** The Lowndes County Commissioner of Health, the Lowndes County Health Department and/or the State of Georgia Department of Human Resources. The words "Commissioner of Health" are used in these regulations to denote the fact that all matters pertaining to health regulations shall be directed to that official or his staff.

**2-9 Crosswalk.** A right-of-way within a block dedicated to public use for pedestrian use only and so designed as to provide access to adjacent streets or lots.

**2-10 Cul-de-sac.** A street having only one end open for access to another street, the other end being terminated by a turnaround as specified in these regulations.

**2-11 Development.** The act or process of erecting buildings, structures, or making improvements.

**2-12 Easement.** A grant by the owner of land for the use of such land by others, including public usage, for a specific purpose or purposes.

**2-13 Land Characteristics.** A soils inventory of the area proposed for development. The inventory will include a soils map and identification of soil types. This information may be obtained by request of the property owner from the local soil conservation office.

**2-14 Lot.** A portion or parcel of land separated from other portions of parcels by description, as on a subdivision plat or record of survey map or as described by metes and bounds, and intended for transfer of ownership or for

building development. For the purpose of this resolution, the term does not include any portion of a dedicated right-of-way.

**2-15 Lot Width.** The distance between the side lot lines, measured at the building line, parallel to the street right-of-way line.

**2-16 M.S.L.** Mean Sea Level.

**2-17 Planning Commission.** The Greater Lowndes County Planning Commission.

**2-18 Public Water and Sewerage Systems.** A system owned and operated by the county, a municipality, a community corporation, or an individual serving two or more premises and approved by the Department of Natural Resources, Environmental Protection Division.

**2-19 Public Right-of-Way.** A portion of land being used or to be used as a public street, road, thoroughfare, crosswalk, pipeway, drainage canal, and/or other similar uses and designated by means of right-of-way lines.

**2-20 Street.** A public right-of-way which provides vehicular access to abutting property.

**2-20.1 Major Arterial Street:** A street which is designated as such on the Major Thoroughfare Plan and which is intended to provide swift and safe movement of traffic through the city.

**2-20.2 Secondary Arterial Street:** A street which is designated as such on the Major Thoroughfare Plan and which is intended to provide easy and convenient traffic movement within the city.

**2-20.3 Collector Street.** A street which is designated as such on the Major Thoroughfare Plan and which is intended to collect traffic from local streets and direct it safely to secondary and major streets.

**2-20.4 Dead End Street:** A street having only one open end for access to another street, the other end being abruptly terminated with no turnaround.

**2-20.5 Marginal Access Street:** A street generally parallel to and adjacent to an arterial street providing access to abutting properties and protection from through traffic.

**2-20.6 Local Street:** A street used for local circulation in residential areas providing access to abutting property.

**2-21 Subdivider.** Any person, firm, corporation, association or partnership or any agent therefore who undertakes or proposes to undertake the subdivision of land so as to constitute a subdivision as herein defined.

**2-22 Subdivision.** All divisions of a tract or parcel of land into two or more lots, parcels, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, including all division of land involving a new street or a change in existing streets, and including resubdivision and, where appropriate to the context, relating to the process of subdividing or to the land or area subdivided; provided, however, that the following are not included within this definition. For plats not included within this definition, see Section 4-2.10.

- a. Where located on an existing public road, the combination or recombination of previously platted lots, where the total number of lots is not increased, and the resultant lots are equal to the current standards of the city.
- b. The subdivision of land into parcels of five acres or more where located on an existing public road and the property abuts said public road for a minimum of 100 feet width of the property affected.

c. The public acquisition of land.

d. The sale of public land.

**2-23 Tax Assessor Lowndes County Board of Tax Assessors.**

**2-24 Tract.** A portion of land with definite and ascertainable limits or boundaries.

**2-25 Utility.** Any community service available to the public by means of an overhead or underground distribution or collection system such as electricity, telephone, water, gas, and sewerage disposal.

**2-26 Zoning Regulations.** The zoning regulations enacted by the Lake Park City Council.

**ARTICLE III**

**PLATTING, JURISDICTION, ENFORCEMENT**

**3-1 Platting Authority.** From and after the passage of this resolution, the Planning Commission shall be the official platting authority, and no plat of a land subdivision shall be recorded in the Office of the Clerk of the Superior Court of Lowndes County unless it has the approval of the Planning Commission inscribed thereon. The filing or recording of a plat of a subdivision without the approval of the Planning Commission as required by this resolution is declared to be a misdemeanor.

**3-2 Use of Plat.** The transfer of, sale of, agreement to sell, or negotiation to sell land by reference to, exhibition of or other use of a plat of a subdivision that has not been given final approval by the Planning Commission and recorded in the Office of the Clerk of the Superior Court of Lowndes County is prohibited, and the description by metes and bounds in such an instrument of transfer or other document shall not exempt the transaction from prescribed penalties.

**3-3 Opening and Improving Public Streets.** The governing body of the city shall not accept, lay out, open, improve, grade, pave, or light any street, or lay any utility lines in any street, which has not attained the status of a public street prior to the effective date of this resolution, unless such street corresponds to the street location shown on an approved subdivision plat; provided that the governing body may accept, layout, open, and improve any street not so platted if it first submits such proposed action to the Planning Commission for its review and comment.

## ARTICLE IV

## APPROVAL OF SUBDIVISIONS

**Pre-application Procedure.** The subdivider may submit pre-application plans and data for review, advice, and assistance by the Planning Commission, county engineer, and the county health department. Professional assistance at this early stage may save time and effort during later steps. Pre-application plans and data should include:

- a. Location sketch map, showing site in relation to the section of the city in which it is located.
- b. A simple sketch plan on a topographic survey showing general layout of lots, streets, major drainageways, and other features in relation to existing conditions on the site and the surrounding street system.
- c. General subdivision information including data on existing covenants, wooded areas, available and proposed community facilities, and utilities, typical lot size, etc., and land characteristics as defined.

Subdivisions shall be officially reviewed and approved in two stages as follows:

**4-1 Preliminary Plat**

**4-1.1 Purpose.** The purpose of the preliminary plat is to safeguard the subdivider from unnecessary loss of time and expense in preparation of a subdivision plat which does not conform with the specifications of the subdivision regulations resolution. The preliminary plat requires only approximate accuracy of scale and dimension. Public agencies having jurisdiction will review preliminary plats regarding matters within their jurisdiction. During the review process, the subdivider or his agent may be called upon for consultation.

**4-1.2 Subdivisions Requiring No New Street, Water, or Sewer Facilities.** All subdivisions which do not involve the platting, construction, or opening of new streets, water or sewer facilities may be accepted by the Planning Commission in the form of a Final Plat, provided that essential data required by the reviewing agencies to insure compliance with the intent of these regulations is submitted. This essential data includes a proper soils inventory, a contour map and necessary percolation tests.

**4-1.3 Filing.** Any person desiring to subdivide land shall file with the Planning Commission 5 copies of the preliminary plat accompanied by a letter of application. In the event that a proposed subdivision abuts a state route, the applicant shall submit two (2) additional copies to be forwarded to the Georgia Department of Transportation for their review. *(Adopted by Lake Park Mayor/Council 4-6-04, P. C. File # LP-2004-02)* The letter of application shall contain the names and address of the developer(s) and his agent(s), the zoning of the property to be subdivided, whether or not the subdivision will be developed in phases, any plans for potential annexation and plans for serving the proposed subdivision with water and sewer facilities. The plat shall be prepared in accordance with these regulations and with applicable county and/or city specifications by a registered land surveyor, who is licensed under the laws of the State of Georgia. The preliminary plat shall be deemed filed with the Planning Commission when it is filed with the Director. *(Adopted by Lake Park Mayor/Council 4-6-04, P. C. File # LP-2004-02)* At the time of filing, a certificate of filing shall be provided to the subdivider and shall include the time and date of filing. The Director *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File # LP-2004-02)* shall have authority to reject the preliminary plat if he finds that it does not comply with these regulations. If the Director *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File # LP-2004-02)* rejects the preliminary plat, he shall provide the subdivider with a written statement specifying all the respects in which the plat fails to comply. The subdivider may appeal to the Planning Commission from such rejection. The preliminary plat shall include:

- a. **Title Block and North Arrow:** The plat will show the name of the proposed subdivision, its



location by county and city, the name, address and registration number of the surveyor preparing the plat and the date of the plat. A north arrow shall be included with a notation referencing the bearings to magnetic north, astronomical north and grid north.

- b. General Layout:** The plat shall show information as to the proposed street layout and widths, layout of lots with a notation as to the minimum size and width of lots and any proposed open space. Any lands to be dedicated will be identified. Plat scale, total acreage of the site and total number of lots created shall also be indicated. Lot and block identification and building setback lines shall also be indicated.
- c. Topography:** The plat shall show existing contour lines dashed and any proposed contour lines solid, both set of lines to be at two (2) foot intervals, mean sea level (M.S.L.). Prominent drainage features such as lakes, depressions, streams, etc. which could affect the design of the subdivision shall be shown. Engineering data showing the high water elevation and how it was established shall be submitted with the plat.
- d. Existing Features:** The plat shall show the locations and names of existing and platted property lines, streets (and its right-of-way), railroads (and its right-of-way), public and private rights-of-way sanitary sewer (and size), water mains (and size), bridges, culverts, storm drainage (and size), easements, parks and other public open spaces, land lot and land district lines, city limits lines, and names of adjoining property owners or subdivisions. Groups of trees and swamp areas shall also be indicated.
- e. Location Map:** The plat shall include a small scale map of sufficient clarity so that the location of the proposed subdivision can be readily determined.
- f. Water and Sewer:** A statement from the subdivider shall be submitted with the preliminary plat which will describe the method by which sanitary sewer and water facilities will be provided. If non-public sewer is proposed to serve a subdivision, then a soils inventory (See Section 2-13), soils percolation test results and contour map shall accompany the preliminary plat at the time of submission. The contour map shall show location and identification of each soil class and site of each percolation test. Percolation tests shall be made in accordance with county health department requirements.
- g. Future Tract Plan:** In cases where a subdivision is to be developed in stages with additional plats being filed with the Planning Commission at a later date(s), the filing of the initial plat will be accompanied by a Future Tract Plan, a reasonably accurate plat in sketch form of the entire tract which will show the future street system and topography for the entire tract. Once the required future tract plan has been given approval by the Planning Commission, 5 copies of the approved future tract plan must be provided for distribution to the various reviewing agencies and the city/county inspections office.
- h. Tax Map and Parcel Number:** The preliminary plat shall show the existing official tax map and parcel numbers affecting the property. *(Adopted by Lake Park Mayor/Council 9-7-04 – P. C. File # LP-2004-10)*
- i. Variances:** If any variances have been granted affecting the subdivision of the property, such variances shall be noted, giving the nature and date of the variance(s). *(Adopted by Lake Park Mayor/Council 9-7-04 – P. C. File # LP-2004-10)*
- j. Zoning:** The preliminary plat shall show the existing official zoning for the property as depicted by the Official Zoning Map. *(Adopted by Lake Park Mayor/Council 9-7-04 – P. C. File # LP-2004-10)*
- k. Parent Tract Information:** The plat shall show the remaining frontage and acreage information for the parent, or remnant tract. *(Adopted by Lake Park Mayor/Council 9-7-04 – P. C. File # LP-2004-10)*

**l. Points of Reference:** The plat shall show the location, bearing and distance to the nearest land lot corner and the intersection of two public rights-of-way or the intersection of those street or road centerlines. *(Adopted by Lake Park Mayor/Council 9-7-04 – P. C. File # LP-2004-10)*

**4-1.4 Completeness.** If any of the above facts are omitted or misrepresented on the plat, the proper city official may refuse to review the plat and shall return it to the subdivider to be completed or revised.

**4-1.5 Approval by Individual Agencies.** No preliminary plat shall be approved by the Planning Commission unless it is approved by the city engineer,*(Adopted by Lake Park Mayor/Council 5-2-06 – P.C.File # LP-2006-04)* commissioner of health, and the assignment of map and parcel numbers by the Lowndes County Board of Tax Assessors. These agencies shall approve with or without modification or disapprove the preliminary plat to the extent that each has jurisdiction. If the plat is rejected, reviewing agency shall provide the Planning Commission with a written statement specifying all respects where the plat fails to comply. Pursuant to OCGA 32-6-152, where the proposed subdivision abuts a state route, the Planning Commission must also obtain approval of the Georgia Department of Transportation (GDOT). In the event that GDOT rejects the plat, upon receipt of written reasons for rejection, as required by OCGA 32-6-152, said rejection shall be binding on the Planning Commission. The Planning Commission, however, upon receipt of said written rejection, is allowed by the same state law to overrule such rejection by official action at its next regularly scheduled meeting. *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File # LP-2004-02)*

**4-1.6 Approval by Planning Commission.** Approval or disapproval of the preliminary plat shall be accomplished within 45 days after the plat is filed with the Planning Commission. If after 45 days the Planning Commission has failed to act, the preliminary plat shall be deemed approved; provided that the subdivider may waive in writing this requirement and consent to an extension of such period. If the Final Plat is disapproved in writing by Georgia Department of Transportation, pursuant to Section 4-1.5 above, the 45-day limitation may be extended until the next regularly scheduled Planning Commission meeting. *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File # LP-2004-02)* If the preliminary plat is disapproved, the subdivider shall be informed.as to the reasons for disapproval. *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File # LP-2004-02)*

**4-1.7 Approval of Construction Drawings.** Upon approval of the preliminary plat and before preparation of the final construction drawings for the minimum improvements required by these regulations, the subdivider shall receive tentative approval of said engineering plans from the city engineer. *(Adopted by Lake Park Mayor/Council 5-2-06 – P. C. File # LP-2006-01)*

**a.** The design of all minimum improvements shall be under the direction of an engineer registered in the State of Georgia. All plans shall bear his seal.

**b.** Certificate of approval from the county health department shall accompany all water/sewer plans.

## 4-2 Final Plat

**4-2.1 Conformance.** The final plat shall conform with the approved preliminary. If desired by the subdivider, he may submit only that portion of the preliminary plat he proposed to record and develop at that time; provided, that such portion conforms with all requirements of these regulations.

**4-2.2 Filing.** Filing the final plat with the Planning Commission shall include the following:

**a.** A letter of application shall contain:

**1)** the name and address of the person(s) developing the subdivision and his agent(s);

- 2) zoning of the property to be subdivided;
  - 3) whether or not the subdivision will be developed in phases;
  - 4) plans for serving the proposed subdivision with sewer and water facilities.
- b. A complete list of major deviations, if any, from the approved preliminary plat.
  - c. A certified copy of all private covenants or deed restrictions, if any, pertaining to land within the subdivision.
  - d. A copy of the agreement for providing the necessary water and sewer facilities.
  - e. A filing fee in the amount necessary to cover all incurred costs. (This provides for the cost of investigation and review of the subdivision by the reviewing agencies; filing of the plat; and reproducing the necessary extra copies.)
  - f. Two (2) original reproducibles on plastic or linen and five (5) blueline prints of the final plat, plus two (2) additional copies if located on a state route, which will include the following: *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File # LP-2004-02)*

1) **Sheet Design:** The final plat shall conform to the items listed under the preliminary plat (4-1.3a, 4-1.3b, 4-1.3d, 4-1.3e, 4-1.3g, 4-1.3h, 4-1.3i, 4-1.3j, 4-1.3k, 4-1.3l) and the requirements thereof, as set forth in these regulations and shall be drawn in black India ink on one or more sheets of linen tracing cloth or mylar film measuring 18" by 24". When two (2) or more sheets are used, a key map shall be shown on each sheet. There shall be a 2" margin on the left end of the plat and a 1/2" margin on the remaining 3 sides. A revision to a recorded plat shall be drawn in black India ink on the same type cloth or film as mentioned above. The final plat shall be drawn on the scale (stated and graphical) of 1" equal 100 feet. *(Adopted by Lake Park Mayor/Council 9-7-04 – P. C. File # LP-2004-10)*

2) **Surveyor Certificate:** The following certificate shall be entered on the face of the plat as shown in Figure 1. Placement of this certificate may vary as necessary. I certify that all measurements are correct and were prepared from an actual survey of the property made under my supervision; the field data upon which this plat is based has a closure precision of one foot in \_\_\_\_\_ feet and an angular error of \_\_\_\_\_ per angel point, and was adjusted using \_\_\_\_\_ rule; the plat has been calculated for closure and is found to be accurate within one foot in \_\_\_\_\_ feet; monument and pin locations are correctly shown by the symbols \_\_\_\_\_ and the pins are \_\_\_\_\_ (type of metallic material and length).

Signed \_\_\_\_\_(SEAL) Date \_\_\_\_\_

\_\_\_\_\_. Surveyor, Georgia Registration Number \_\_\_\_\_.

3) **Owner Certificate:** The following certificate shall be entered on the face of the plat as shown in Figure 1. Placement of this certificate may vary as necessary:

<u>Owner</u>	<u>Date</u>	<u>Mortgage</u>	<u>Date</u>
_____	_____	_____	_____

4) **Approvals:** The following spaces shall be provided (as shown in Figure 1) in the form listed below for approval by all agencies having jurisdiction. Placement on plat may vary:

Approved by Department of Public Health, Lowndes County, Georgia

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Health Department Representative

Approved by Lake Park City Engineer

Date \_\_\_\_\_ Signed \_\_\_\_\_  
City Engineer  
*(Approved by Lake Park Mayor/Council 5-2-06 – P. C. File 3 LP-2006-04)*

Approved by the Greater Lowndes County Planning Commission.

Date \_\_\_\_\_ Signed \_\_\_\_\_  
Planning Director

- 5) **Surveying Data:** The final plat shall contain the location, bearing and length of every street line, lot line and boundary line whether curved or straight. A note will be made on the plat as to whether curved dimensions are arch or chord distances. Easement lines (and width), land lot and land district lines will be shown. All dimensions shall be shown in feet and decimals to the nearest 1/100 of a foot, and all angles shall be shown to the nearest second. The error of closure shall not exceed one (1) in 10,000, or as defined by the technical standards required by Georgia Code 84-21 of the Law Governing the Practice of Professional Engineering and Surveying (1980).
- 6) **Monuments:** The final plat shall show the accurate location, material and description of all monuments. A permanent master benchmark shall be established (subject to the approval of the city engineer) *(Adopted by Lake Park Mayor/Council 5-2-06 – P. C. File # LP-2006-02* within or adjacent to the site by transfer of levels, not less than third order accuracy, from the nearest approved benchmark of known mean sea level (M.S.L.) elevation showing its location on the final plat to the nearest one/one-hundredth (1/100th) foot.
- 7) **Easements:** In addition to the requirements for the preliminary plat as set forth in Section 4-1.3d of these regulations, the final plat will show the location and width of all temporary construction easements (as required by standard engineering practice), public utility easements and drainage easements where required.
- 8) **Construction Drawings:** At such time as the final plat is filed for review with the Proper City Official, the subdivider shall submit construction drawings to the City Engineer *(Adopted by Lake Park Mayor/Council 5-2-06 – P. C. File # LP-2006-04)* for review and approval. Construction drawings shall conform to county specifications.

**4-2.3 Filing Certificate.** The final plat shall be deemed filed with the Planning Commission when it is filed with the Director *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File # LP-2004-02)*. At the time of filing, a certificate of filing shall be furnished the applicant which will include the time and date of filing. The final plat shall be prepared in accordance with these regulations and applicable county requirements by a registered land surveyor, who is licensed under the laws of the State of Georgia. The Director *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File # LP-2004-02)* shall have authority to reject the final plat if he finds that it does not conform with the approved preliminary plat or these regulations. If the plat is rejected, the Director *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File LP-2004-02)* shall provide the subdivider with a written statement specifying all the respects in which it does not conform.

- 4-2.4 Approval by Individual Agencies.** No final plat shall be approved unless the Planning Commission first obtains approval of the commissioner of health, city engineer, *(Adopted by Lake Park Mayor/Council 5-2-06 – P. C. File # LP-2006-04)* and the assignment of map and parcel numbers by the Lowndes County Board of Tax Assessors. Said agencies shall approve, with or without modification, or disapprove the final plat to the extent to which each has jurisdiction. If the plat is disapproved, the agency must provide a written statement of reasons for disapproval within 10 days of the time of submittal. Pursuant to OCGA 32-6-152, where the proposed subdivision abuts a state route, the Planning Commission must also obtain approval of the Georgia Department of Transportation (GDOT). In the event that GDOT rejects the plat, upon receipt of written reasons for rejection, as required by OCGA 32-6-152, said rejection shall be binding on the Planning Commission. The Planning Commission, however, upon receipt of said written rejection, is allowed by the same state law to overrule such rejection by official action at its next regularly scheduled meeting. *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File 3 LP-2004-02)*
- 4-2.5 Approval by Planning Commission.** Approval or disapproval of the final plat shall be accomplished within 45 days after the plat is filed with the Planning Commission. If, after 45 days, the Planning Commission has failed to act, the final plat shall be deemed approved and on demand, a copy shall be signed by the proper City Official; provided, that the subdivider may waive in writing this requirement and consent to an extension of such period. If the final plat is disapproved, the reasons therefor shall be stated in the resolution disapproving the same and the subdivider shall be so informed. The approval of a final plat shall not constitute an acceptance by the city of any street or other ground shown upon the plat. No plat shall be acted upon by the Planning Commission without a hearing, and due notice of the time and place of such hearing shall be provided to the applicants.
- 4-2.6 Recording a Plat.** Upon satisfactory compliance with these regulations and after approval by the Planning Commission, the final plat will be forwarded to Director *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File# LP-2004-02)* to retain until such time that all required minimum improvements have been completed, and accepted by the city, and the required guarantee has been posted. At such time the Director *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File # LP-2004-02)* shall record the plat in a timely manner.
- 4-2.7 Removal.** After a subdivision has been recorded, the subdivider may petition the City Council for permission to remove the subdivision plat from the land records of Lowndes County. The City Council may permit such removal providing that no lot in the subdivision has been sold. Upon giving its permission for such removal, the City Council shall release the bonds and/or cash posted by the subdivider pursuant to the provisions of Article 7-3.
- 4-2.8 Revision to a Recorded Plat.** Proposed revisions to a recorded plat may be submitted for approval in accord with the provisions of Section 4-2.2. In addition, a revision to a recorded plat shall show the name, phase (if any), date of the recorded subdivision plat being revised, and the exact citation with regard to the County Land Records and the book and page number wherein said plat is recorded.
- 4-2.9 Distribution.** The Director *(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File # LP-2004-02)* will make the following distribution of prints and reproducibles:

County Records <small>(Recording copies)</small>	Original linen or plastic reproducible and one (1) print
City Engineer	One (1) print <i>(Adopted by Lake Park Mayor/Council 5-2-06 – P. C. File # LP-2006-04)</i>
City Hall	One (1) print and one (1) reproducible

County Tax Assessor	One (1) print
County Health Department	One (1) print
County Board of Education	One (1) print

- 4-2.10 Exempt Plat Process.** Any plat submitted for recording that meets conditions for exempt status per Section 2-22 (Subdivision) are required to be certified by the Planning Director or representative. All plats exempt from the standard review process must be reviewed by the Lowndes County Board of Tax Assessors if a new lot is being created. The Tax Assessors' Office will review and assign a map and parcel number which must be shown on the plat prior to recording. All exempt plats must be submitted on a mylar plus 5 prints. The mylar will be retained by the Planning Director. Re-surveys of existing parcels which do not involve a map parcel change must be verified by the Planning Director and the Tax Assessors' Office. Existing parcel numbers must be shown on exempt plats. Any plat submitted through the normal subdivision process shall be reviewed by the Tax Assessors' Office and assigned a map and parcel number.

## ARTICLE V

### MINIMUM DESIGN STANDARDS

#### 5-1 Blocks

- 5-1.1 Non-Residential.** Blocks for other than residential use shall be of such length and width as may be suitable for their prospective use, including adequate provision for off-street parking and maneuvering space.
- 5-1.2 Residential.** The length of residential blocks shall not exceed 1,500 feet nor be less than 400 feet. Blocks of more than 1,500 feet will be permitted if natural or man-made barriers such as streams and railroads require blocks of greater size. The depth of residential blocks shall be sufficient to allow two (2) tiers of lots, unless prohibited by natural or man-made barriers, or unless one tier backs onto a line of another person's property, except as provided for in Section 5-3.4. The foregoing shall not prevent the inclusion of blocks of greater width, including super blocks. Super blocks may contain public or joint use areas such as parks and playgrounds and shall be covered by adequate maintenance agreements if not dedicated and accepted for public maintenance.
- 5-1.3 Crosswalks.** Rights-of-way for pedestrian crosswalks shall be provided when in the opinion of the Planning Commission crosswalks are necessary for direct pedestrian access to schools, shopping centers, and parks. A crosswalk right-of-way shall not be less than 20 feet wide.

#### 5-2 Easements

- 5-2.1 Utility.** Utility easements for overhead services shall be located within the platted street right-of-way and shall be a minimum width of 15 feet. Where possible, water lines shall be located on the west and south sides of streets; sewer and gas lines shall be on the east and north sides. Wherever public utility easements are planned adjacent to the subdivision tract boundary or phase, they shall be platted within said subdivision or phase thereof. Water and sewer lines outside of street rights-of-way shall follow side and rear property lines where possible and shall have a minimum easement width of 20 feet except that a greater width shall be provided where it is determined by the city engineer (*Adopted by Lake Park Mayor/Council 5-2-06 – P.C. File # LP-2006-04*) that a greater width is necessary for maintenance or construction.
- 5-2.2 Drainage.** Drainage easements shall be provided as required by the city engineer (*Adopted by Lake Park Mayor/Council 5-2-06 – P. C. File # LP-2006-04*) after review of the preliminary construction plans and

preliminary plat of the subject subdivision.

### 5-3 Lots

**5-3.1 Minimum Lot Elevation.** The lot area contained within and contiguous to the building walls and for a minimum distance of 10 feet measured from all sides of said building shall have a minimum elevation of two (2) feet above the maximum flood stage of streams or canals in the particular area being developed based on acceptable engineering procedure and approved by the city engineer (*Adopted by Lake Park Mayor/Council 5-2-06 – P. C. File # LP-2006-04*). Said minimum elevation shall be subject to approval by the commissioner of health.

**5-3.2 Lot Width and Lot Area Requirements.** Lots hereafter established within a subdivision shall conform to the lot area and lot width requirements set forth in the zoning ordinance for Lake Park or in other sections of this regulation.

**5-3.3 Corner Lots.** Corner lots shall be of such size and dimensions that will permit the location of buildings so as to conform with the building setback lines as prescribed in the zoning ordinance. Corner property lines at street intersections shall have a minimum of 20-foot radii.

**5-3.4 Double and Reverse Frontage.** Lots having street frontage both to the front and rear shall be prohibited except to provide for separation of residential development from railroad or major, secondary arterial or collector street rights-of-way. Where the aforementioned abuts or runs through any portion of the subdivision, the subdivision plan shall provide for lots backing onto said railroad or right-of-way. Said lots shall have a minimum depth adequate to provide for the rear yard setback, required by the respective zoning district, plus an additional 30 feet, 10 feet of which shall be a planted, non-encroachable buffer strip separating the lots from the right-of-way. The buffer zone shall be landscaped with hedges or closely planted small trees to provide a visual screen and shall be planted at the time of development. Said planted non-encroachable buffer strip shall be clearly indicated on the final plat and proper covenants shall be prepared to insure this restriction.

**5-4 Building Lines.** All building setback lines shall be as specified in the zoning ordinance for the City of Lake Park.

### 5-5 Buffer Zones

**5-5.1 Commercial Use Buffer Zones:** When a portion of the subdivision is to be devoted to commercial purposes and when the commercial area adjoins residential lots, or when a portion of a proposed subdivision adjoins an area zoned for commercial or industrial use, a buffer zone not less than 20 feet in width shall be provided. Said buffer strip shall be landscaped with hedges or closely planted small trees so as to provide visual screening. No building or portion thereof may be constructed in said buffer zone, and protective covenants shall be labeled as such on the subdivision plat and shall be planted at the time of development.

**5-6 Streets.** The street and road system of any subdivision shall give due consideration to the following:

**5-6.1 Access.** Every lot of every subdivision shall abut a public street which is or shall be maintained by the appropriate governing body. Where the subdivision does not immediately adjoin a public street, the subdivider shall provide a public street from the subdivision to a public street.

**5-6.2 Alignment and Continuation.** Streets within the subdivision shall be so arranged as to provide for the alignment and continuation of or projection of existing streets.

**5-6.3 Cul-de-sacs.** Permanent cul-de-sacs shall not be longer than 500 feet from the nearest street right-of-way line with which it intersects to the center of its diameter. Where the area served by the

cul-de-sac has two (2) or less dwelling units per acre, the maximum length may be increased to 1,000 feet. Cul-de-sacs shall terminate in a circular turnaround having a right-of-way of not less than 100 feet. Paving within the turnaround shall have an outside diameter of not less than 80 feet.

- 5-6.4 Dead End Streets.** Permanent dead end streets and dead end alleys shall be prohibited.
- 5-6.5 Half Streets.** Permanent half streets and half alleys shall be prohibited.
- 5-6.6 Intersections.** The centerline of no more than two (2) streets shall intersect at any one point. No street shall intersect another street at less than 80 degrees and shall as nearly as possible intersect at 90 degrees.
- 5-6.7 Right-of-way Radius.** The right-of-way radius at street intersections shall be no less than 20 feet except on major arterial streets where Georgia Highway Department Standards shall prevail.
- 5-6.8 Curved Streets.** The centerline radius shall not be less than 350 feet for major arterial streets, 250 feet for secondary streets, and 120 feet for collector and residential streets. Centerline tangents between reverse curves shall be not less than 200 feet for secondary streets and 100 feet for collector streets and residential streets.
- 5-6.9 Right-of-way Extension.** Where the proposed subdivision abuts undeveloped properties, it is essential that appropriate extensions of streets be provided to facilitate future growth and development. Such street rights-of-way to facilitate future development shall be extended by dedication and improved to the boundary of the proposed subdivision.
- 5-6.10 Street Jogs.** Street jogs at intersections shall be not less than 150 feet between centerline offsets. This provision shall not negate the design and intent of Section 5-6.2.
- 5-6.11 Street Names.** The subdivider shall indicate on the subdivision plat the proposed name or number of all streets within the subdivision. Streets and roads that are obviously in alignment with and are extensions of existing previously named or numbered streets shall bear that name. The names of all new streets within the subdivision shall be subject to the review and approval of the Planning Commission.
- 5-6.12 Street Rights-of-way and Pavement Width.** Street rights-of-way shall be measured between lot lines and shall be prescribed in this section. The pavement width shall be as prescribed in the table below:

Street Classification	Minimum Right-of-Way (In Feet)	Minimum Pavement Width (In Feet)
Major Arterial	100	64
Second Arterial	100	48



Collector	80	24
Marginal Access	70	24
Local Street	60 *	22
Alleys - Residential	20	12
- Commercial	**	**
- Industrial	**	**
Easements	**	**

\* When new development is proposed that creates a new roadway, said development shall be developed with curb and gutter and proper storm drainage within a 50' right-of-way. The "Miami" type curb is acceptable where curb and gutter is required.

\*\* As appropriate for the proposed development, with approval required by the County Engineering department.

**5-6.13 Additional Rights-of-way.** If the subdivision boundary line lies adjacent to the right-of-way lien of an existing street of less than minimum right-of-way width, a minimum of one-half the required extra right-of-way shall be dedicated.

**5-6.14 Provision for Public Use.** In subdividing land, due consideration shall be given to suitable sites for schools, parks, playgrounds, and other common areas for public use. Such land should be located in accordance with the zoning plan. The acquisition of such land shall rest with the Lake Park City Council.

**ARTICLE VI****MINIMUM IMPROVEMENTS**

**6-1 General.** The subdivider shall provide all public improvements as required by these regulations.

**6-2 Paving and Drainage.** Within the incorporated area of Lake Park, the subdivider shall install paving and proper drainage, which includes ditch slopes and grassing requirements. Proper drainage control structures which may include paved ditches and canals, and which will require established grass sod on road shoulders, front and back slopes of ditches and erosion control devices at outfall locations are required in subdivisions within the incorporated areas of Lake Park.

All streets and roads shall be paved according to standards set by the Georgia Department of Transportation Standard Specifications for Roads and Bridges, except that the minimum requirements for road base construction shall be 6" of soil-cement stabilized base material or 5" of sand Bituminous stabilized base material and the finished paving course shall not be less than 1½" of Type E, Type F, or Type H asphaltic concrete. These materials shall be applied according to established construction methods and shall be subject to inspection by and final approval by the Lowndes City Engineer (*Adopted by Lake Park Mayor/Council – P. C. File # LP-2006-04*) prior to acceptance for public maintenance.

**6-3 Water Supply and Sanitary Sewerage**

- 6-3.1** It is the intent of these regulations that the general public health of the city be safeguarded from the proliferation of septic tank systems and individual wells in higher density development.
- 6-3.2** Where public sanitary sewerage and/or public water is available within one thousand (1,000) feet of any portion of the subdivider's property, the subdivider shall provide every lot of the subdivision with public sewer and public water in accordance with applicable governmental (either city or county) specifications. Said facilities are to be dedicated to the City of Lake Park for public maintenance and operation prior to recording of the plat.
- 6-3.3** Where a public water supply and/or public sewerage system is not accessible, and where topography, soil characteristics, drainage, ground water or other physical conditions preclude safe on-site water supplies and/or sewerage disposal systems, the developer shall furnish through the county board of health plans and specifications for community water supply and/or community sewerage disposal system for the subdivision.
- 6-3.4** For lots served by either an individual water supply or an individual sewage disposal system, the minimum lot size shall be 15,000 square feet with a minimum lot width of 100 feet.
- 6-3.5** For lots served by both an individual water supply and an individual sewage disposal system, the minimum lot size shall be one acre with a minimum lot width of 120 feet.
- 6-3.6** The entire cost of extending water and sewer lines and their associated services within a subdivision shall be borne by the developer.

**6-4 Storm Water Drainage.** The subdivider shall provide adequate storm water drainage in accordance with these regulations and adopted city specifications on file in the Proper City Official's office. The subdivider shall also provide for adequate drainage of springs and other ground water drainage.

**6-5 Buffer Strips.** The subdivider shall provide adequate buffer strips, which consist of plantings and/or visual blinds as detailed in these regulations. Those buffer strips or zones required by these regulations shall be governed

by Sections 5-3.4, 5-5.1, and 5-5.2

**6-6 Street Signs.** The developer shall pay for all street signs required for his subdivision at a cost of (\$25.00) per sign. These fees shall be paid to the city prior to release of the plat for recording.

**6-7 Installation of Improvements.** No final grading, paving, or construction of streets or installation of any other utility shall be permitted until the final plat of the subdivision has been approved by the planning commission and has been filed with the Proper City Official.

**6-8 Completion of Improvements.** The final inspection required for a building permit, issued for the construction of any building on any lot of an approved subdivision, shall not be made prior to the completion of minimum improvements, as prescribed by this ordinance, and such improvements have been inspected and approved by the city engineer (*Adopted by Lake Park Mayor/Council 5-2-06 – P. C. File # LP-2006-04*) and the developer has posted the required guaranty with the city.

**6-9 Issuance of Building Permit Prior to Completion of Minimum Improvements.** To assure proper construction and installation of public utility and street improvements, when a developer requests building permits issued prior to completion of improvements, the developer shall deliver to the city either cash in reserve, or a bond in such an aggregate amount to equal 110% of the total construction cost as estimated by the city engineer (*Adopted by Lake Park Mayor/Council 5-2-06 – P. C. File # LP-2006-04*).

- 6-9.1** Bonds posted or cash deposited pursuant to Section 6-9 shall run to the City and provide that the subdivider, his heirs, successors, and assigns and their agents and servants will comply with all applicable terms, will faithfully perform and complete the work of constructing and installing said facilities or improvements in accordance with these regulations and that the subdivider will save the City from any unnecessary expense incurred through the failure of the subdivider, his heirs, successors or assigns, or their agents or servants, to complete the work of said construction and installation as required by these regulations, and from any damage growing out of negligence in performing or failing to perform said construction and installation.
- 6-9.2** If a bond is offered, it shall be executed by a surety or guaranty company qualified to transact business in the State of Georgia and shall state that all work will be performed in accordance with the City of Lake Park Subdivision Regulations and applicable city specifications and standards. If cash is offered, it shall be deposited with the Proper City Official who shall give an official receipt therefor, receipting the amount and purposes of said deposit and that the deposit has been made in compliance with and subject to the provisions of these regulations.
- 6-9.3** Bonds and/or cash posted pursuant to these regulations shall be released or returned, as the case may be, at such time as the facilities guaranteed thereby have been installed and accepted.
- 6-9.4** If the construction or installation of any improvements of facilities for which a bond or cash is posted or deposited is not completed within 3 months after substantial completion of any building or structures which said improvements or facilities are designed to serve, or within two (2) years after the date of recording of the final plat, whichever is sooner or if said construction or installation is not in accordance with the applicable specifications and requirements, the City may proceed to construct, install, or modify said improvements or facilities in accordance with the applicable specifications and requirements, and in the case of a corporate bond, the obligors on the bonds shall be liable for the expense incurred thereby, or in the case of a cash deposit, the City shall use as much of said cash as is necessary to so construct or install said improvements or facilities. To the extent that any portion of a cash deposit is not required or used by the City, said excess cash shall be repaid to the person making the deposits upon acceptance of the improvements or facilities. The default provisions of this Section 6-10 shall not apply when the governing body acts to permit the subdivider to remove his subdivision from the land records of Lowndes County in accordance with the provisions of these regulations.

**ARTICLE VII**

**ACCEPTANCE AND GUARANTEE OF  
COMPLETED MINIMUM IMPROVEMENTS**

**7-1 Completion.** At such time as any or all improvements are completed, the subdivider shall notify the City Engineer (*Adopted by Lake Park Mayor/Council 5-2-06 – P. C. File # LP-2006-04*) in writing accurately identifying the improvements covered.

**7-2 Acceptance.** Upon written notification of completion of Minimum Improvements, the City Engineer (*Adopted by Lake Park Mayor/Council 5-2-06 – P. C. File # LP-2006-04*) shall within 30 days after such accept or reject, in writing, the completed improvements stating the deficiencies, if any.

**7-2.1** The required minimum improvements shall not be accepted unless they conform to these regulations and officially adopted city specifications.

**7-3 Guarantee.** The subdivider shall guarantee to the City, for a period of one year, after completion and acceptance of the improvement, all material and workmanship going into such improvement. The subdivider shall post bond with the City, conditioned upon the faithful performance of such guaranty. Such guaranty and bond shall be posted prior to approval by the City of the subdivision plat. Cash shall be accepted in lieu of bond. This guaranty shall be in the amount of 10% of the total improvements cost.

*(Adopted by Lake Park Mayor/Council 4-6-04 – P. C. File # LP-2004-02) Paragraph 7-4 was deleted.*

**7-4 Duration and Release of Guarantee.** Bonds and/or cash posted pursuant to Section 7-3 of these regulations shall be released or returned at such time as the improvements guaranteed thereby have received final inspection after the guaranty period.

**ARTICLE VIII**

**VIOLATION AND PENALTIES**

**8-1 Violations.**

**8-1.1** It shall be unlawful to convey or improve property by the construction of buildings on lots of any land subdivision which has not been approved and recorded as provided in these regulations, except those parcels prior to the effective date of these regulations.

**8-1.2** It shall be unlawful to record a subdivision plat, or once recorded, to make any changes thereon whatsoever which have not been approved by the Planning Commission and the City Council, in accordance with the provisions of these regulations.

**8-1.3** Each Day's Violation a Separate Offense. After due notice has been given, each and every day's violation of any provision of this resolution shall constitute a separate offense.

**8-2 Violation and Misdemeanor.** Any person violating any provision of this resolution shall, upon conviction, be deemed guilty of a misdemeanor and shall be subject to such penalties as are provided by law for other misdemeanors.

**ARTICLE IX**

**LEGAL STATUS**

**9-1 Effect of Invalidity of Part of Resolution.** Should any section or provision of this resolution be decided by the courts to be invalid, such decision shall not affect the validity of this resolution as a whole or any other part thereof.

**9-2 Conflict with Other Laws.** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

**9-3 Amendment.** The City Council shall have the authority to amend these regulations after a public hearing thereon. Notice of the time and place of such public hearing shall be published in a newspaper of general circulation in Lake Park at least 15 days prior to such meeting.

**9-4 Variances.** In cases of undue hardship under this ordinance, any property owner may petition the Planning Commission for a variance, and where the Planning Commission concurs, it will prepare and send to the City Council a recommendation for a variance when considered necessary and equitable. In case the Planning Commission fails to concur, the property owner may appeal to the City Council for relief. All variance requests will require a public hearing in the same manner as an amendment. None of the items listed in Article VII, Minimum Improvements, of these regulations shall be subject to variance.

**9-5 Effective Date.** These regulations shall take effect and be in force from and after the date of adoption.