

Chapter 15
SUBDIVISION REGULATIONS*

Editor's note: A resolution adopted Sept. 24, 2001, enacted provisions titled "Whitfield County Subdivision Regulations". These provisions are being treated as superseding in its entirety Ch. 15, Subdivisions, which had derived from the 1976 Code.

Cross references: Curbing in new subdivisions, §§ 13-1, 13-2; paving of roads in subdivisions, § 13-3; zoning, app. A; county definitions, app. B.

State law references: Zoning (including development) procedures, O.C.G.A. § 36-66-1 et seq.

Art. I. In General, §§ 15-1--15-20

Art. II. Procedure for Plat Submittal and Approval, §§ 15-21--15-30

Art. III. Design Standards, §§ 15-31--15-38

**ARTICLE I.
IN GENERAL**

Sec. 15-1. Short title.

This chapter shall hereafter be known, cited, and referred to as the Whitfield County Subdivision Regulations.

Sec. 15-2. Authority and purposes.

(1) Authority. This chapter is adopted pursuant to the authority delegated to Whitfield County pursuant to the Georgia Constitution of 1983, as amended, and the Georgia Planning Act of 1989, as amended.

(2) Purposes. The standards contained herein are enacted for the following purposes:

- (a) To encourage economically sound and stable land development;
- (b) To assure the adequate provision of required roads, parking, 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, within land developments;
- (d) To assure the provision of public open space and building sites in land developments through the dedication or reservation of land for recreational, educational, and other public purposes;
- (e) To prevent the pollution of air, land, streams, and ponds, as well as encourage the wise use and management of natural resources throughout the county, and preserve the topography and beauty of the community and the value of land;
- (f) To assist the general public, who generally lacks the specialized knowledge needed to evaluate subdivision improvements and design;
- (g) To promote the goals, objectives, and policies of the Joint Comprehensive Plan for Whitfield County and the Cities of Cohutta, Dalton, Tunnel Hill and Varnell.

Sec. 15-3. Jurisdiction.

(1) The provisions in this ordinance shall be applicable within the unincorporated portions of Whitfield County, Georgia.

(2) This chapter shall become effective immediately upon its adoption by the Whitfield County Board of Commissioners.

(3) When necessary to further its purposes, this chapter may be amended from time to time by the Whitfield County Board of Commissioners.

Sec. 15-4. Use of plat.

Any transfer, sale, agreement to sell, or negotiation to sell any lot or parcel by reference to, by exhibition of, or by other use of a plat or survey of a subdivision which has not been granted final approval by the Whitfield County Building, Zoning and Development Department and recorded in the office of the Clerk of the Superior Court of Whitfield County shall be prohibited. A description by metes and bounds in an instrument of transfer or other document shall not exempt any such transaction from this provision.

Sec. 15-5. Platting authority.

The Whitfield County Building, Zoning and Development Department shall hereby exercise the power and authority to review and to approve all plats, as set forth hereinbelow. The Dalton-Whitfield County Planning Commission shall have the power and authority to review, comment upon, and to approve preliminary major subdivision plat submittals, as set forth below.

Sec. 15-6. Fees.

A schedule of permit, application, and/or use fees, as adopted from time to time by the Whitfield County Board of Commissioners, attached to Ord. of May 13, 2002, as Appendix "A", is incorporated herein by reference.

Sec. 15-7. Enforcement and penalties.

The Whitfield County Engineer or his or her designee shall be the general administrative and enforcement officer of this chapter. In the enforcement of this chapter, the Whitfield County Engineer may delegate certain enforcement authority to other Whitfield County employees.

(1) Pursuant to O.C.G.A. § 36-1-20(b), any person violating any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), or by imprisonment in the county jail for not more than sixty (60) days, or both.

(2) The Whitfield County Magistrate Court shall have original jurisdiction upon any offense charged pursuant to this chapter unless removed to the Whitfield County Superior Court for a jury trial pursuant to O.C.G.A. § 15-10-61.

(3) In any circumstance in which any lot or parcel is, or is proposed to be, utilized in violation of this chapter, Whitfield County may, in addition to other remedies

provided by law, seek equitable relief, injunction, abatement, or any appropriate action or actions, or proceeding to prevent, to enjoin or to abate such use.

Sec. 15-8. Interpretation, conflict, and severability.

(1) In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements.

(2) Where the conditions imposed by any provision of this chapter are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this chapter or of any other applicable federal, state, or local law, ordinance, resolution, rule, or regulation, the regulation which is more restrictive and which imposes higher standards or requirements shall govern.

(3) If any section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held by any court of competent jurisdiction to be unconstitutional or void, the validity of the remaining portions of this chapter shall not be affected thereby. The intent of the Whitfield County Board of Commissioners in adopting this chapter is that no portion hereof or provision of the regulations contained herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase, or provision of this chapter.

Sec. 15-9. Variance/appeals.

All appeals from any decision of the Whitfield County Engineer or his or her designee relating to any requirement of this chapter shall be heard by the Whitfield County Board of Zoning Appeals upon such procedures as set forth in the by-laws of the Whitfield County Board of Zoning Appeals, the provisions of which are incorporated herein by this reference. Said board of zoning appeals shall be empowered to grant variances where appropriate, upon the conditions therefor set forth in such board's by-laws.

Sec. 15-10. Recording of plats.

No plat of any subdivision of lots or parcels shall be recorded by the Clerk of Superior Court of Whitfield County unless the plat has received final approval, as evidenced by the signature of an authorized representative of the Whitfield County Building, Zoning and Development Department. The Whitfield County Building, Zoning and Development Department shall be responsible for the timely recording of all major subdivision plats; the developer/subdivider shall be responsible for the timely recording of all minor subdivision plats and all exempt subdivision plats.

Sec. 15-11. Road access.

(a) Required. No building permit shall be issued for and no structure or accessory structure shall be erected upon any lot or parcel within Whitfield County unless the road giving access thereto has been accepted into the Whitfield County Road System as a public road or unless the road is fully constructed and designated as a

private road meeting all applicable requirements of the Whitfield County Site Design Ordinance and of any other requirements set forth by Whitfield County.

(b) Family easement exemption. A limited exception to the general requirement that each lot or parcel have road access shall be created for families, as defined, and as set forth more fully at subsection 15-24(10) herein below.

Sec. 15-12. Issuance of building permits.

No building permit shall be issued for any proposed structure or building upon any lot or parcel within any proposed subdivision which does not meet the regulations set forth herein.

Sec. 15-13. Definitions.

For the purpose of this chapter and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined in the Whitfield County Definitions Ordinance [Appendix B]. The definitions contained therein are incorporated herewith as if set forth fully.

Sec. 15-14. Interpretation.

Words used in the present tense shall include the future tense; words used in the singular number shall include the plural, and words in the plural number shall include the singular; the word "person" shall include a firm, partnership, or corporation as well as an individual; the term "shall" is always mandatory and not discretionary; the word "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended," "arranged," or "designed to be used or occupied."

Secs. 15-15--15-20. Reserved.

**ARTICLE II.
PROCEDURE FOR PLAT SUBMITTAL AND APPROVAL**

Sec. 15-21. Required subdivision submittals.

All submittals, upon filing, shall be classified as an "exempt," "minor," or "major" subdivision of land, as follows:

(1) Exempt subdivision. Any division of a lot or parcel into two (2) or more lots, building sites, parcels, or other divisions which has the following characteristics is exempt from the requirements of this chapter (though such divisions may be subject to certain regulations contained within this and other ordinances, such as minimum lot size requirements, etc.):

a. The division of land between or among heirs or beneficiaries in accordance with the Georgia Probate Code and in connection with a pending estate administration in the Whitfield County Probate Court, as evidenced by valid letters of testamentary or letters of administration;

b. The sale of all portions of an existing lot or parcel to one (1) or more adjoining landowners for recombination into one (1) or more adjacent lots or parcels;

c. The sale of a portion of an existing lot or parcel to an adjoining landowner for combination therein, provided that the donor lot or parcel thereafter is not less than three (3) acres;

d. The acquisition of rights-of-way by any governmental unit, municipality, the Georgia Regional Transportation Authority (GRTA), or the Georgia Department of Transportation (GDOT);

e. The division of a portion of a lot or parcel by the owner thereof solely for the purpose of placing said divided portion as collateral for a security instrument, provided the division meets at least one (1) of the above described exemption requirements.

(2) Minor subdivision. Any division of a lot or parcel into two (2) or more lots, building sites, parcels, or other divisions (or redivision of the same parcel which alters lot lines) which fronts upon an existing public or private road and which does not require any new or improved road, public water, sewer service, or other utility extensions and which is not otherwise in conflict with any provision of this chapter.

(3) Major subdivision. Any division of a lot or parcel into two (2) or more lots, building sites, parcels, or other divisions which is not classified as either exempt or minor.

Sec. 15-22. Conformance to applicable rules and regulations.

In addition to the requirements established in this chapter, all subdivision plats shall comply with all applicable federal, state, and/or local laws, resolutions, rules, or regulations.

Sec. 15-23. Presubmittal conference.

A presubmittal conference, while not required, serves as an informal plan review involving a developer and the Whitfield County Engineer or his or her designee(s). The purpose is to allow a developer/subdivider to discuss his or her concept and proposed design. The Whitfield County Engineer, during such meeting, may raise factors which may impact upon a proposed development and advise a developer/subdivider of various possibilities before he or she has expended substantial amounts of time and/or money in a very detailed proposal which may contain elements contrary to this chapter.

Sec. 15-24. Submittal, review and approval procedure for an exempt subdivision.

(1) Submit final plat. Any person seeking approval of a proposed exempt subdivision plat shall submit such plat directly to the Whitfield County Building, Zoning and Development Department a final plat which has been prepared in accordance with subsection (3) of this section, together with the prescribed fee.

(2) Approval procedures.

(a) As soon as practicable after a proper showing that a proposed subdivision shall be considered exempt, but in no event more than five (5) working days after submission, an authorized representative of the Whitfield County Building, Zoning, and Development Department shall sign the proposed plat for recording by the Clerk of Superior Court of Whitfield County, as requested, or return same for correction or amendment, as specifically noted in writing.

(b) If an exempt subdivision proposes access to a state highway, the Georgia Department of Transportation (GDOT) shall determine the feasibility of such access pursuant to O.C.G.A. § 32-6-151. The subdivider/developer shall produce permits and/or written permission from the Georgia Department of Transportation (GDOT) for the proposed access.

(3) Final plat. A developer/subdivider shall submit a final plat to the Whitfield County Building, Zoning and Development Department pursuant to the following sequence of submittal, review, and approval:

(a) A minimum of five (5) copies of the final plat shall be submitted.

(b) If the developer/subdivider places restrictions upon any of the lots or parcels contained in the subdivision greater than those required by this ordinance, such restrictions or reference thereto shall be identified upon the plat by the following statement: Restrictions apply to the subdivision of lots shown hereon.

(c) Approval procedures. Within five (5) working days after submittal of the final plat and all supporting documentation, data, and certifications, the final plat shall be approved or disapproved by the Whitfield County Building, Zoning, and Development Department. If no action is taken within such period, the plat shall stand approved. The Whitfield County Building, Zoning and Development Department may disapprove any such final plat if any portion of the proposed subdivision is in violation of any applicable ordinance, law, rule, or regulation of any governmental unit having jurisdiction.

(d) Completeness. If any of the specifications or facts required herein are omitted or misrepresented, the Whitfield County Building, Zoning, and Development Department may refuse to review such plat and may return such submittal to the developer/subdivider for completion or revision.

(e) Final plat specifications. The final plat shall be prepared by a Georgia Registered Land Surveyor. If a professional engineer, licensed to practice in Georgia, shall contribute to the plat, then appropriate seals shall be shown. The plat shall be drawn at a scale appropriate to show details but no smaller than two hundred (200) feet to one (1) inch. The plat shall be drawn in permanent ink on reproducible material upon a sheet or sheets not exceeding seventeen (17) by twenty-two (22) inches, in compliance with Georgia law, and unless specifically waived, in whole or in part by the Whitfield County Building, Zoning, and Development Department, shall include:

1. The name of the subdivision and road names;
2. The name, address, and telephone number of the person to be notified of action;
3. The name, address, seal, and license number of the registered land surveyor; the original signature of the surveyor shall be across the seal for the plat to be valid; also, if a professional engineer participated in the development of the plat, the name, address, seal, and license number of such professional engineer shall be placed thereon;
4. The date of the plat drawing, graphic scale, north point, notation as to the reference of bearings to magnetic, true north, or grid north

and indication whether bearings shown are calculated from angles turned or taken from compass readings;

5. The location of the parcel (land district and land lot) giving total acreage being subdivided, total number of lots created and total length of new roads within the development;

6. A general location map at a scale not less than one (1) inch equals one thousand (1,000) feet, showing the relationship of the plat to other existing roads and properties in Whitfield County;

7. The index map where more than one (1) sheet is required to present the plat; [Note: multiple sheets shall each be named to conform with the title sheet and designated for example: 1 of 3, 2 of 3, and 3 of 3];

8. Identify the point of beginning (POB) tied to the nearest existing road intersection or nearest land lot line or district line;

9. Exact boundary lines and zoning classification(s) of the parcel shall be in compliance with the Georgia Plat Act, O.C.G.A. § 15-6-67;

10. City, county or land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse the subdivision;

11. Road centerlines, showing angles of deflection and standard curve data of intersection, radii, length of tangents and arcs, and degree of curvature;

12. Lot lines with dimensions to the nearest one-hundredth (1/100) foot, and bearings to the nearest minute, arcs, and chords and tangent to radii of rounded corners;

13. The location and dimension of all approved exempted access easements;

14. Front and rear structure or building setback lines; side setback lines may be noted upon the survey, but shall not be required to be shown upon each lot;

15. Lots or parcels numbered in numerical order or numbered in relationship to each phase of development; phase development lines;

16. Locations of monuments and markers to the degree of accuracy required of professional engineers and/or registered land surveyors pursuant to Georgia law;

17. The boundary and elevation of the 100-year floodplain as determined by F.I.R.M. and/or best available data, as determined by the Whitfield County Engineer;

18. Applicable certificates and statements as specified in this chapter;

19. If restrictions apply to the subdivision, then such restrictions shall be shown or noted on the final plat;

20. The location and dimension of all areas proposed to be set aside for recreational use, open space, green space, or other public use, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation;

21. The Whitfield County Tax Assessor's map and existing parcel numbers for G.I.S. purposes.

(f) Final plat certificates of approval. Each final plat submitted shall carry the following certificates of approval:

1. Final Accuracy and Design 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 all requirements of the Whitfield County Subdivision Regulations have been substantially complied with, and approval hereof does not relieve me of any liability associated with inaccuracies or improper design.

By _____
Registered Georgia Land Surveyor No. and Seal

Date_____

2. Certificate of Approval for Recording [Exempt Subdivision]

The Whitfield County Building, Zoning, and Development Department certifies that this plat complies with the exempt subdivision provisions of the Whitfield County Subdivision Regulations, [with the exception of such variances, if any, as are noted upon the plat], and that it has been approved for recording in the Office of the Clerk of the Superior Court of Whitfield County, Georgia. No determination has been made with regard to the suitability of any lot either for use with the existing on-site/public sewage management or water supply system or for the installation of a new on-site/public sewage management or water supply system.

Date _____ Authorized Representative _____

(4) Reliance upon recorded plat. A developer/subdivider may rely upon the provisions set forth in any plat approved and recorded pursuant to this ordinance to the extent that any such conditions constitute vested rights pursuant to Georgia law.

Sec. 15-25. Submittal, review and approval procedure for a minor subdivision.

(1) Submit final plat. Any person seeking approval of a proposed minor subdivision plat shall submit directly to the Whitfield County Building, Zoning and Development Department a final plat which has been prepared in accordance with subsection (3) of this section, together with the prescribed fee.

(2) Approval procedures.

(a) Before submitting a proposed final plat to the Whitfield County Building, Zoning and Development Department, all applicable certificates of approval shall already be endorsed upon the plat by the appropriate department heads or officials, except for the certificate for approval of recording (minor subdivision), which is to be executed by an authorized representative of the Whitfield County Building, Zoning and Development Department after determining that all conditions have been met.

(b) An authorized representative of the Whitfield County Building, Zoning and Development Department shall approve or deny such plat within five (5) working days of its submittal after all other applicable certificates of approval have been executed. If no action is taken by the Whitfield County Building, Zoning, and Development Department, the plat shall stand approved. The developer/subdivider may waive such time requirement and may consent to an extension of this period if both parties agree.

(c) If a minor subdivision proposes access to a state highway, the Georgia Department of Transportation (GDOT) shall determine the feasibility of such access pursuant to O.C.G.A. § 32-6-151. The subdivider/developer

shall produce permits and/or written permission from the Georgia Department of Transportation (GDOT) for the proposed access.

(3) Final plat. A developer/subdivider shall submit a final plat to the Whitfield County Building, Zoning and Development Department pursuant to the following sequence of submittal, review, and approval:

(a) A minimum of five (5) copies of the final plat shall be submitted.

(b) If the developer/subdivider places restrictions upon any of the lots or parcels contained in the subdivision greater than those required by this chapter, such restrictions or reference thereto shall be identified upon the plat.

(c) Approval procedures. Within five (5) working days after submittal of the final plat and all supporting documentation, data, and certifications, the final plat shall be approved or disapproved by the Whitfield County Building, Zoning, and Development Department. If no action is taken within such period, the plat shall stand approved. The Whitfield County Building, Zoning and Development Department may disapprove any such final plat if any portion of the proposed subdivision is in violation of any applicable ordinance, law, rule, or regulation of any governmental unit having jurisdiction.

(d) Completeness. If any of the specifications or facts required herein are omitted or misrepresented, the Whitfield County Building, Zoning, and Development Department may refuse to review such plat and may return such submittal to the developer/subdivider for completion or revision.

(e) Final plat specifications. The final plat shall be prepared by a Georgia Registered Land Surveyor. If a professional engineer, licensed to practice in Georgia, shall contribute to the plat, then appropriate seals shall be shown. The plat shall be drawn at a scale appropriate to show details but no smaller than two hundred (200) feet to one (1) inch. The plat shall be drawn in permanent ink on reproducible material upon a sheet or sheets not exceeding seventeen (17) by twenty-two (22) inches, in compliance with Georgia law, and unless specifically waived, in whole or in part by the Whitfield County Building, Zoning, and Development Department, shall include:

1. The name of the subdivision and road names;
2. The name, address, and telephone number of the person to be notified of action;
3. The name, address, seal, and license number of the registered land surveyor; the original signature of the surveyor shall be across

the seal for the plat to be valid; also, if a professional engineer participated in the development of the plat, the name, address, seal, and license number of such professional engineer shall be placed thereon;

4. The date of the plat drawing, graphic scale, north point, notation as to the reference of bearings to magnetic, true north, or grid north and indication whether bearings shown are calculated from angles turned or taken from compass readings;

5. The location of the parcel land district and land lot giving total acreage being subdivided, total number of lots created and total length of new roads within the development;

6. A general location map at a scale not less than one (1) inch equals one thousand (1,000) feet, showing the relationship of the plat to other existing roads and properties in Whitfield County;

7. The index map where more than one (1) sheet is required to present the plat; [Note: multiple sheets shall each be named to conform with the title sheet and designated for example: 1 of 3, 2 of 3, and 3 of 3];

8. Identify the point of beginning (POB) tied to the nearest existing road intersection or nearest land lot line or district line;

9. Exact boundary lines and zoning classifications. of the parcel shall be in compliance with the Georgia Plat Act, O.C.G.A. § 15-6-67;

10. City, county or land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse the subdivision;

11. Road centerlines, showing angles of deflection and standard curve data of intersection, radii, length of tangents and arcs, and degree of curvature;

12. Lot lines with dimensions to the nearest one-hundredth (1/100) foot, and bearings to the nearest minute, arcs, and chords and tangent to radii of rounded corners;

13. The location and dimension of all approved exempted access easements;

14. Front and rear structure or building setback lines; side setback lines may be noted upon the survey, but shall not be required to be shown upon each lot;

15. Lots or parcels numbered in numerical order or numbered in relationship to each phase of development; phase development lines;

16. Locations of monuments and markers to the degree of accuracy required of professional engineers and/or registered land surveyors pursuant to Georgia law;

17. The boundary and elevation of the 100-year floodplain as determined by F.I.R.M. and/or best available data, as determined by the Whitfield County Engineer;

18. Applicable certificates and statements as specified in this chapter;

19. If restrictions apply to the subdivision, then such restrictions shall be shown or noted on the final plat;

20. The location and dimension of all areas proposed to be set aside for recreational use, open space, green space, or other public use, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation;

21. The Whitfield County Tax Assessor's map and existing parcel numbers for G.I.S. purposes.

(f) Final plat certificates of approval. Each final plat submitted shall carry certificates of approval appropriate to the particular development and signed by the appropriate departmental authorities. The following certificates may apply; if not, then statements appropriate to the development may be prepared after consultation with the Whitfield County Building, Zoning and Development Department:

1. Final Accuracy and Design 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 all requirements of the Whitfield County Subdivision Regulations have been substantially complied with, and approval hereof does not relieve me of any liability associated with inaccuracies or improper design.

By _____ Date _____
Registered Georgia Land Surveyor No. and Seal

2. Certificate of Approval for Public Water System

I hereby certify that the water system serving the public roads on this final plat has been installed (or sufficient surety has been provided to install) in accordance with the requirements of Dalton Utilities.

Dalton Utilities: _____ Date: _____

Certificate of Approval for Public Wastewater Collection System

I hereby certify that the wastewater collection system serving the public roads on this final plat has been installed (or sufficient surety has been provided to install) in accordance with the requirements of Dalton Utilities.

Dalton Utilities: _____ Date: _____

3. Certificate of Approval For On-Site Sewage Management System

Each lot shown hereon is suitable for the use of an existing septic system or for the installation of a new individual onsite sewage management system. Each new system installed will require a permit to be issued before construction begins, dependent upon the location of any structures and any limitations which could adversely affect the performance of an on-site sewage management system. General approval is hereby granted for one dwelling per lot for this subdivision site [with the exception of lots number _____, _____, _____].

Date _____ Whitfield County Environmental Specialist _____

4. Certificate of Approval for Recording [Minor Subdivision]

The Whitfield County Building, Zoning, and Development Department certifies that this plat complies with the minor subdivision provisions of the Whitfield County Subdivision Regulations, [with the exception of such variances, if any, as are noted upon the plat],

and that it has been approved for recording in the Office of the Clerk of the Superior Court of Whitfield County, Georgia.

Date _____ Authorized Representative _____

5. Certificate of Approval for Fire Protection

I hereby certify that fire hydrants and water mains serving the lots on this final plat have been installed and flow requirements for the fire hydrants have been met in accordance with the requirements of the Whitfield County Building Code for Fire Hydrant and Water Supply Requirements.

Whitfield County Fire Chief: _____ Date: _____

(4) Reliance upon recorded plat. A developer/subdivider may rely upon the provisions set forth in any plat approved and recorded pursuant to this ordinance to the extent that any such conditions constitute vested rights pursuant to Georgia law.

Sec. 15-26. Submittal, review and approval procedure for a major subdivision.

(1) Preliminary plat. Following a presubmittal conference but before any grading, site development, or construction shall commence, the developer/subdivider shall submit a preliminary plat, as follows:

(a) A preliminary plat and site plan which has been prepared in accordance with subsection (g) of this section, together with prescribed fee, shall be submitted to the Whitfield County Engineer. A minimum of six (6) copies of the preliminary plat (eight (8) copies where the subdivision is proposed for access to a state highway) and supporting documentation shall be submitted. The submission shall occur not less than fifteen (15) working days prior to the meeting date of the planning commission at which the developer/subdivider desires preliminary plat review and approval.

(b) If access to a state highway is proposed then the Georgia Department of Transportation (GDOT) shall receive two (2) copies of the proposed plat to determine the feasibility of such access in accordance with O.C.G.A. § 32-6-150 et seq. The planning commission and/or the Whitfield County Engineer shall include any requirements of the Georgia Department of Transportation (GDOT) in any action taken upon such proposed plat.

(c) In the event that the developer/subdivider desires or is required to obtain approval of the Federal Housing Administration (FHA,) Housing and Urban Development (HUD,) or other federal or state agency, such approval shall be secured prior to the submission of a preliminary plat, if

possible. If such permission is not secured prior to the submission, the time period for preliminary plat approval may be required to be extended.

(d) All applicable county departments shall conduct individual reviews of the plat. The Whitfield County Engineer shall review the plat for compliance with minimum preliminary plat specifications set forth at subsection (g) of this section and with any other provision of this chapter.

(e) Within thirty (30) days after the date of review by the planning commission, the preliminary plat shall be approved or disapproved. If the planning commission shall fail to act within thirty (30) days following the date of review, such plat shall be deemed approved preliminarily; provided, however, the developer/subdivider may waive this requirement and consent in writing to an extension of the period.

(f) The grounds for disapproval of any preliminary plat shall be stated in writing upon the records of the planning commission and a copy of the grounds provided to the applicant. After official action by the planning commission, a letter shall be issued by Whitfield County or its designee to the subdivider notifying the subdivider of the official action. Any conditions attached to the official action shall be stated, and if the preliminary plat is denied, the reasons for denial shall also be stated.

(g) Preliminary plat specifications. The preliminary plat shall be prepared by a Georgia Registered Land Surveyor; if a professional engineer contributed to the plat, then such shall be indicated upon the plat. The plat shall be drawn at a scale not smaller than one hundred (100) feet to one (1) inch. However, where the size of the proposed subdivision exceeds one hundred (100) acres, the scale may be no smaller than two hundred (200) feet to one (1) inch. The plat shall be drawn in permanent ink upon reproducible material and unless specifically waived, in whole or in part by the Whitfield County Engineer, shall include:

1. The proposed name of the subdivision, new roads and existing roads;
2. The name, address, and telephone number of the person to be notified of action;
3. The name, address, and license number of the registered land surveyor responsible for the preparation of the plat;
4. The graphic scale, north arrow, and date of plat preparation;
5. The total acreage in single parcel ownership by the developer/subdivider, the total number of acres being subdivided, the total number of lots created, and the total length of roads;

6. A general location map at a scale not less than one (1) inch equals one thousand (1,000) feet, showing the proposed development in relation to other adjacent properties and existing roads in Whitfield County;
7. The location, zoning classification(s), and dimensions of all boundary lines of the parcel to the nearest hundredth (1/100) of a foot and the deed record names of adjacent owners or subdivisions shall be identified;
8. The location and dimensions of existing rights-of-ways, easements, streams, drainage structures, or utilities, buildings, bridges, lakes, and lands subject to flooding; if applicable, the 100-year floodplain should be shown;
9. Topography by contours at vertical intervals of not more than five (5) feet; prominent drainage features, such as lakes, depressions, streams, etc., which may affect subdivision design shall be shown; engineering data showing the high water elevation and how it was established shall be submitted with the plat. The contour requirement may be waived or the interval adjusted up or down based upon the need, as determined by the Whitfield County Engineer;
10. A master drainage plan shall be submitted with technical design criteria;
11. The layout and scaled dimensions of all lots and roads; the location, purpose, and dimensions of all existing and future drainageways and easements;
12. The location and dimension of all areas proposed to be set aside for recreation use, open space, green space, or other public use, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation;
13. The centerline profile of all proposed roads showing natural and finished grades and proposed road names, and a cross-section of the proposed road design;
14. Front and rear structure or building setback lines;
15. There shall be a statement upon the plat to indicate whether the applicable water service to the proposed development shall be by individual water supply or by public treated water and whether the applicable sewage disposal service shall be by on-site sewage management systems or by sanitary sewer. Sanitary sewer main

size and water main size shall be determined by the appropriate utility;

16. Environmentally sensitive areas: location of major river corridors, water supply watersheds, groundwater recharge areas, wetlands, the boundary and elevation of the 100-year floodplain, as determined by past history of flooding or the best available data;

17. Locate and size all drainage areas and future drainage tiles affecting the proposed subdivision;

18. Where a proposed subdivision is to be developed in phases with additional plat(s) to be submitted later, a preliminary plat shall be accompanied by a future tract plan, depicting reasonably the entire lot or parcel to be divided, the future road system, and topography thereon.

(2) Final plat. Subsequent to approval of the preliminary plat, a developer/subdivider shall submit a final plat, which is in conformity with the previously approved preliminary plat, to the Whitfield County Engineer, pursuant to the following sequence of submittal, review, and approval:

(a) Before a final plat is submitted, all public utility extensions or public or private roads which were approved in the preliminary plat shall be completed in accordance with approved Whitfield County standards, and certificates of satisfactory completion have been obtained from appropriate authority(ies).

In lieu thereof, the developer/subdivider may submit a performance bond, irrevocable letter of credit, or funds in escrow in an amount not less than one hundred ten (110) percent of the estimated expenses of construction to proper standards and shall complete construction within one (1) year of the issuance of the first building permit for a lot or parcel along such road. Under such circumstances, the developer/subdivider shall indemnify Whitfield County, including, but not limited to all elected officials, employees, agents, attorneys, and anyone acting on behalf of Whitfield County from any and all liability associated with any failure of the developer/subdivider in connection with his or her status as a permit holder with NPDES.

(b) A minimum of six (6) copies of the final plat and site plan and all supporting documentation shall be submitted within two (2) years from the date of approval of the preliminary plat; if final plat approval is not sought within two (2) years of preliminary approval, a preliminary plat must be resubmitted.

(c) If the developer/subdivider places restrictions upon any of the lots or parcels contained in the subdivision greater than those required by this chapter, such restrictions or reference thereto shall be identified upon the plat.

(d) Approval procedures. Within ten (10) working days after submittal of the final plat and site plan and all supporting documentation, data, and certifications, the final plat and/or site plan shall be approved or disapproved by the Whitfield County Building, Zoning and Development Department. If no action is taken within such period, the plat shall stand approved. The Whitfield County Building, Zoning and Development Department may disapprove any such final plat if any portion of the proposed subdivision is in violation of any applicable ordinance, law, rule, or regulation of any governmental unit having jurisdiction.

(e) Approval of the final plat and/or site plan by the Whitfield County Building, Zoning and Development Department shall not be deemed an acceptance by the county or the public of the dedication of any road, right-of-way, or other real property shown upon the plat or site plan. The developer/subdivider must prepare deeds of conveyance for each right-of-way or other public space and separate action is required by the Whitfield Board of Commissioners to accept such deeds of conveyance.

(f) Completeness. If any of the specifications or facts required herein are omitted or misrepresented, the Whitfield County Building, Zoning and Development Department or the planning commission may refuse to review such plat and may return such submittal to the developer/subdivider for completion or revision.

(g) Approval duration. Construction drawings shall be submitted within one (1) year of preliminary plat approval. If construction has not commenced within one (1) year of plat approval, said approval shall expire unless extended in writing by the Whitfield County Engineer. If such approval shall expire, then a new preliminary plat must be submitted in accordance with then-current regulations.

(h) Final plat specifications. The final plat shall be prepared by a Georgia Registered Land Surveyor. If a professional engineer, licensed to practice in Georgia, shall contribute to the plat, then appropriate seals shall be shown. The plat shall be drawn at a scale appropriate to show details but no smaller than two hundred (200) feet to one (1) inch. The plat shall be drawn in permanent ink on reproducible material upon a sheet or sheets not exceeding seventeen (17) by twenty-two (22) inches, in compliance with Georgia law, and unless specifically waived in whole or in part by the Whitfield County Engineer, shall include:

1. The name of the subdivision and road names;

2. The name, address, and telephone number of the person to be notified of action;
3. The name, address, seal, and license number of the registered land surveyor; the original signature of the surveyor shall be across the seal for the plat to be valid; also, professional engineers or civil engineers, if appropriate;
4. The date of the plat drawing, graphic scale, north point, notation as to the reference of bearings to magnetic, true north, or grid north and indication whether bearings shown are calculated from angles turned or taken from compass readings;
5. The location of the parcel (land district and land lot) giving total acreage being subdivided, total number of lots created and total length of new roads within the development;
6. A general location map at a scale not less than one (1) inch equals one thousand (1,000) feet, showing the relationship of the plat to other existing roads and properties in Whitfield County;
7. The index map where more than one sheet is required to present the plat (Note: multiple sheets shall each be named to conform with the title sheet and designated, for example: 1 of 3, 2 of 3, and 3 of 3);
8. Identify the point of beginning (POB) tied to the nearest existing road intersection or nearest land lot line or district line;
9. Exact boundary lines and zoning classification(s) of the parcel shall be in compliance with the Georgia Plat Act, O.C.G.A. § 15-6-67;
10. City, county or land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse the subdivision;
11. Road center lines, showing angles of deflection and standard curve data of intersection, radii, length of tangents and arcs, and degree of curvature;
12. Lot lines with dimensions to the nearest one-hundredth (1/100) foot and bearings to the nearest minute, arcs, and chords and tangent or radii of rounded corners;

13. Front and rear structure or building setback lines; side setback lines may be noted upon the survey, but shall not be required to be shown upon each lot;

14. Lots or parcels numbered in numerical order or numbered in relationship to each phase of development; phase development lines;

15. A master drainage plan shall be submitted to the Whitfield County Engineer with technical design criteria, as set forth herein. Location, dimensions and purpose of all drainage structures and of any easements; including slope easements, and public service utility right-of-way lines, and any areas to be reserved, donated, or dedicated to public use or sites for other than residential use with notes stating their purpose and limitations; and of any areas to be reserved by deed covenant for common uses of all property owners;

16. Final sanitary sewer easements (if applicable) with existing manhole locations;

17. Final water supply system easements (if applicable) with location of existing fire hydrants;

18. Locations of monuments and markers to the degree of accuracy required of professional engineers and/or registered land surveyors pursuant to Georgia law;

19. The boundary and elevation of the 100-year floodplain as determined by F.I.R.M. and/or best available data, as determined by the Whitfield County Engineer;

20. Applicable certificates and statements as specified in this chapter;

21. If restrictions apply to the subdivision, then such restrictions shall be shown or noted on the final plat;

22. The location and dimension of all areas proposed to be set aside for recreational use, open space, green space, or other public use, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation;

23. The Whitfield County Tax Assessor's map and parcel numbers for G.I.S. purposes;

24. A complete list of any deviation(s) from the approved preliminary plat.

(i) Final plat certificates of approval. Each final plat submitted shall carry certificates of approval appropriate to the particular development and signed by the appropriate departmental authorities. The following certificates may apply; if not, then statements appropriate to the development may be prepared after consultation with the Whitfield County Engineer:

1. Certificate of Ownership--Public Dedication

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision and restrictions thereto. I (we) further certify that it is our intent to dedicate to Whitfield County, at the appropriate time all rights-of-way, easements, roads, drains, and public grounds shown hereon.

Owner: _____ Date: _____

2. Certificate of Ownership--Private Road System

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision [adopt restrictions applicable thereto], and establish a property owner's association, (name) to retain and to maintain for private use all roads, parks, drains, easements, and common grounds, shown hereon.

Owner: _____ Date: _____

3. Final Accuracy and Design 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 all requirements of the Whitfield County Subdivision Regulations have been fully complied with, and approval hereof does not relieve me of any liability associated with inaccuracies or improper design.

By: _____ Date: _____
Registered Georgia Land Surveyor No. and Seal

4. Certificate of Approval for Public Water System

I hereby certify that the water system serving the public roads on this final plat has been installed (or sufficient surety has been provided to install) in accordance with the requirements of Dalton Utilities.

Dalton Utilities: _____ Date: _____

5. Certificate of Approval for Public Wastewater Collection System

I hereby certify that the wastewater collection system serving the public roads on this final plat has been installed (or sufficient surety has been provided to install) in accordance with the requirements of Dalton Utilities.

Dalton Utilities: _____ Date: _____

6. Certificate of Approval for On-Site Sewage Management System

Each lot shown hereon is suitable for the use of an existing septic system or for the installation of a new individual onsite sewage management system. Each new system installed will require a permit to be issued before construction begins, dependent upon the location of any structures and any limitations which could adversely affect the performance of an on-site sewage management system. General approval is hereby granted for one dwelling per lot for this subdivision site [with the exception of lots number _____, _____, _____].

Date: _____ Whitfield County Environmental Specialist _____

7. Certificate of Approval for Recording

The Whitfield County Building, Zoning, and Development Department certifies that this plat complies with the major subdivision provisions of the Whitfield County Subdivision Regulations, [with the exception of such variances, if any, as are noted upon the plat], and that it has been approved for recording in the Office of the Clerk of the Superior Court of Whitfield County, Georgia.

Authorized Representative: _____ Date: _____

8. Certificate of Approval for Fire Protection

I hereby certify that fire hydrants and water mains serving the lots on this final plat have been installed and flow requirements for the fire hydrants have been met in accordance with the requirements of the Whitfield County Building Code for Fire Hydrant and Water Supply Requirements.

Whitfield County Fire Chief: _____ Date: _____

9. Certificate of Approval for Road System

I hereby certify the all streets and storm drainage structures shown on this final plat have been constructed (or sufficient surety has been provided to construct) in accordance with the requirements of the Whitfield County Codes for Site Design and Roads, Streets, and Sidewalks.

Whitfield County Public Works: _____ Date: _____

(3) Reliance upon recorded plat. A developer/subdivider may rely upon the provisions set forth in any plat approved and recorded pursuant to this chapter to the extent that any such conditions constitute vested rights pursuant to Georgia law.

Secs. 15-27--15-30. Reserved.

**ARTICLE III.
DESIGN STANDARDS**

Sec. 15-31. Purposes.

The purposes of appropriate subdivision and site design is to promote the health, welfare, and safety of the public; to create a functional and aesthetically pleasing development; to minimize adverse impacts; and to ensure that projects will be designed to result in a well-planned community without adding unnecessarily to development costs.

Sec. 15-32. General design principles.

(1) Land suitability. Land which is unsuitable for subdivision or development due to flooding, wetlands, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which would be harmful to the safety, health, and general welfare of inhabitants of the land and/or the general public and surrounding areas shall not be subdivided or developed unless adequate methods are designed by the developer/subdivider to solve the problems created by the unstable land conditions. Said design methods shall include but not be limited to Georgia Department of Transportation Standard Manuals and Specifications for the Construction of Roads and Bridges and the Utility Accommodations Policy and Standards, current editions, and supplements thereto; American Association of State Highway and Transportation Officials (AASHTO) Manuals for Arterial Streets, Rural, Urban, and Interstate Highways, current editions; American Water Works Association (AWWA) standards, current editions, Georgia State Department of Natural Resources (DNR), Environmental Protection Division (EPD), Rules for Safe Drinking Water, Rules and Regulations for Water Quality Control, latest editions; American National Standards Institute (ANSI) Standards, latest editions; and American Society for Testing and Materials (ASTM) Standards, latest editions. Any such design(s) shall be subject to review and approval by the Whitfield County Engineer. The County Engineer shall provide a written statement justifying the denial of the final plat based on land suitability.

(2) Annexation. Subdivisions planned for future annexation by any city shall be developed to then-current city standards, if any such standard shall exceed that of Whitfield County, and shall be subject to the review and comment of such city.

Sec. 15-33. General subdivision design standards.

(1) Monuments. The developer/subdivider shall place permanent reference monuments in the subdivision as required herein and as approved by a Georgia Registered Land Surveyor. Monuments shall be located and set as follows:

(a) Monuments shall be located upon road right-of-way lines, at road intersections and at the beginning and ending points of curves.

(b) All lot corners shall be marked by iron rods, pipe, or pins at least eighteen (18) inches long and one-half (1/2) inch in diameter.

(c) Lot lines which extend to any state waters shall be monumented in the field by iron pins at least eighteen (18) inches long and one-half (1/2) inch in diameter or by round or square iron bars at least eighteen (18) inches long. Such pins shall be placed at the point of intersection of the state waters and lot line, with a meander line established not less than twenty (20) feet back from the bank of the state waters.

(d) All monuments and pins shall be properly set in the ground and approved by a registered surveyor prior to the submittal of any plat.

(2) Name of subdivision. The name of the subdivision shall be approved by the Whitfield County Building, Zoning and Development Department and shall neither duplicate nor closely approximate the name of any existing subdivision. Whitfield County may regularly maintain a register of such names, accessible to the public, updated not less than monthly.

(3) Residential development design.

(a) The Whitfield County Engineer and/or the Planning Commission may require additional lot area and/or setbacks provided that lots conform to the minimum requirements of this chapter and the Whitfield County Zoning Ordinance.

(b) Each lot or parcel shall have sufficient access to it for emergency vehicles as well as for those requiring access to the property for its intended use.

(c) The design of lots in residential developments shall take into consideration topography, privacy, orientation, drainage, and aesthetics.

(4) Manufacturing and commercial development design. Manufacturing and commercial development shall be designed according to similar principles governing the design of residential developments. Buildings shall be located according to topography, with environmentally sensitive areas avoided to the maximum extent practicable. Factors such as drainage, noise, odor, surrounding land uses and sufficient access shall be considered.

(5) Circulation system design. Road systems shall be designed to permit the safe, efficient and orderly movement of traffic; to meet the needs of the present and future population served; to have a simple and logical pattern; to respect natural features and topography; and to present an attractive roadscape.

(6) Access by private roads. Private roads may [be] approved in subdivision developments where controlled access or privacy is desired by the developer/subdivider provided such roads meet the following conditions:

(a) The preliminary and final plats of a development proposing private roads shall show a statement indicating: "The road system is private and will not be maintained or improved by Whitfield County."

(b) The plat review process shall also include evidence of the legal formation of a property owners association to be charged with the minimum responsibility for maintenance of the private road. Such legal documentation shall be recorded and referenced as an attachment to the final plat.

Sec. 15-34. Lot design standards.

All lots hereafter established in connection with the development of a subdivision shall comply with the following design standards:

(1) Lot lines. Insofar as practicable, side lot lines shall be perpendicular to or radial to roadways.

(2) Jurisdictional limits and lot lines. Lots shall not be divided by preexisting city or county boundary lines.

(3) Lot access. Each lot or parcel created shall have direct abutting access to an approved public or private road. Each lot must front for at least fifty (50) feet upon an approved road. Construction and/or maintenance of driveways connecting to the public road right-of-way or to the private road shall be the sole responsibility of the lot or parcel owner.

(4) Building set-back lines. Residential building set-back lines shall be at least twenty-five (25) feet from the front property line for lots abutting local, collector, or arterial roads. With the exception of panhandle or flag lots, the minimum lot width of any lot shall be achieved at a distance into the lot that is not greater than the total frontage distance of the lot.

(5) Adequate building sites. Each lot shall contain an adequate building site not subject to flooding and outside the limits of any existing easements or building setback lines required by this chapter and any existing ordinance, as is appropriate.

(6) Panhandle or flag lots. Flag lot designs are generally discouraged and shall only be approved by the Planning Commission, and such approval is only justified when extreme topographic circumstances, environmental factors, or socio/economic factors make standard design impossible or impractical. Where such lots are allowed, the panhandle access of the lot shall not be less than fifty

(50) feet wide for its length, and not more than two (2) such panhandle access points shall abut each other. The following additional criteria apply:

- (a) The length of the panhandle access (“the pole”) shall generally be no longer than the average depth of the lots adjacent to the panhandle access that are fronting the street; and
- (b) In computing the minimum lot size, the geometric area encompassed in the panhandle access shall be excluded.

(7) Double and/or reverse frontage lots. Double and reverse frontage lots shall be prohibited except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography, orientation, and property size. A planted screen reservation of at least five (5) feet, and across which there shall be no right of access, may be required along the line of lots abutting such traffic arterials or other disadvantageous use.

(8) Corner lots. Corner lots shall be sufficiently large to permit the location of structures so as to conform to the minimum setback requirement upon both roads. Corner lot lines at road intersections shall have a minimum radii of twenty (20) feet.

(9) Lot remnants. Lot remnants, except those in excess of three (3) acres created in connection with an exempt subdivision, shall be prohibited. Such remnant areas shall be added to adjacent lots or shall be set aside as green space with permanent conservation easements, rather than to remain as unusable parcels.

(10) Easements. Easements shall be provided in subdivisions for the following purposes:

a. Utility easements. When necessary and desirable to locate public utility lines in other than road rights-of-way, easements shall be shown upon the plat for such purposes. Such easements shall be not less than fifteen (15) feet in width and, where possible, shall be centered upon rear or side lot lines.

b. Watercourse and drainage easements. Where a proposed subdivision is traversed by a watercourse, drainage way, or stream, appropriate provisions shall be made to accommodate stormwater and drainage through and from the proposed subdivision. Such easement shall conform substantially with the lines of said watercourse and be of sufficient width or construction.

c. Family easement access exemption. There shall be exempted from the access requirement set forth hereinabove at section 15-11 any subdivision of a lot or parcel into not more than five (5) total parcels (which shall include any remaining portion of the original parcel and any other preexisting lots or parcels accessed by such easement) for purposes of

transfer, either by sale or by gift, to a family member of the original owner thereof.

1. The original parcel may be subdivided at one (1) time or over a period of time; however, each exemption for each proposed divided parcel shall be considered separately.
2. Such exemption shall be requested in writing upon forms provided by the Whitfield County Building, Zoning and Development Department, which shall thereafter request the Whitfield County Fire Chief or his designee to inspect the proposed divided parcel, including the proposed access, and to report back in writing whether such proposed access is or is not adequate for fire protection and other emergency services.
3. The transfer of any portion of the original parcel or of any divided parcel other than by the laws of testate or intestate succession shall automatically result in the prohibition of any further access exemption for any portion of the original parcel.
4. The original owner shall provide birth certificates and/or other documentation to the Whitfield County Building, Zoning and Development Department, as reasonably requested, to establish a sufficient family connection for purposes of the exemption.
5. Any misstatement of a material fact or violation of any of the provisions of this subsection by the original owner or a family member shall constitute sufficient grounds for denial by the Whitfield County Building, Zoning and Development Department, either for the pending request or for any future requests concerning the original or previously divided parcels.
6. A divided parcel as well as any remaining portion of the original parcel must at all times meet applicable minimum lot size standards then in effect pursuant to the provisions of this chapter.
7. A divided parcel created pursuant to the terms of this exemption shall include, as an appurtenance thereto, a specifically described nonexclusive easement, fifty (50) feet in width, for purposes of ingress, egress, and above and below ground utility services, allowing access from such divided parcel to a public right-of-way.

8. The proposed subdivision plat shall contain a statement to read as follows:

"FAMILY EXEMPTION PROPERTY

The property shown hereon has been exempted from certain provisions of the Whitfield County Subdivision Ordinance pursuant to subsection 3-10c, of said ordinance. Said property is not located on a public road and, due to such fact, certain county services may not be provided to said property."

9. No divided parcel or portion thereof shall be eligible for a family easement exemption allowed herein.

10. Such family easement exemption shall be allowed only in the SA and GA zoning districts (as set forth in the Unified Zoning Ordinance).

(11) Lot Depth. Residential lot depth shall not be less than 120 feet or more than four (4) times the lot width at the building line, unless approved by the Planning Commission after considering topographic circumstances or environmental factors.

(12)--(14) Reserved.

(15) Minimum lot dimensions and area. The minimum lot area and the minimum lot width at the front building line shall be as shown in the following tables:

Minimum Residential Lot Dimensions and Area			
Dwelling Type	Utilities Available	Minimum Width at Front Building Line (feet) ***	Minimum Area (sq. ft.)
One-Family	Public water Public sewerage	60	7,500
	Public water Individual sewage disposal system	100	**
	Individual well Individual sewage disposal system	100	**
Zero-Lot Line (R-4) (See Zoning Ordinance Section 4-4-1)	Public water Public sewerage	40	4,000
Multifamily (2 or more units)	Public water Individual sewage disposal system	100	**
Multifamily (2 or more units)	Public water Public sewerage	80	7,500 for first unit plus 2,500 for each additional unit
** Determination of minimum lot size will be made by the Environmental Division of the Whitfield County Health Department based upon suitability of the soils to support an on-site sewage management system. *** See Section 15-34(4) for additional information.			

Minimum Commercial and Industrial Lot Dimensions and Area			
Commercial and Manufacturing Use Type	Utilities Available	Minimum Width at Front Building Line (feet) ***	Minimum Area (sq. ft.)
Commercial and Manufacturing	Public water, Public sewerage	60	7,500
Commercial and Manufacturing	Public water, Individual sewage disposal system	80	**
Commercial and Manufacturing	Individual well, Individual sewage disposal system	125	**
** Determination of minimum lot size will be made by the Environmental Division of the Whitfield County Health Department based upon suitability of the soils to support an on-site sewage management system. *** See Section 15-34(4) for additional information.			

Sec. 15-35. Road design standards.

All roads, whether public or private, which shall hereafter be established in connection with the development of a major subdivision shall comply with the Whitfield County Site Design Ordinance.

(1) Access to arterials and collectors. Where a subdivision borders upon or contains an existing or proposed arterial or collector route, as defined upon the Georgia Department of Transportation Functional Classification Map, it may be required that access to such road be limited by:

- a. The subdivision of lots so as to back on the arterial or collector road and front on a parallel local road;
- b. A series of cul-de-sacs, U-shaped roads, or short loops entered from and designed generally at right angles to such a parallel road, with the rear lines of their terminal lots backing onto the arterial or collector road; or
- c. A frontage road.

(2) Reserve strips. The creation of reserve strips adjacent to a proposed road in such a manner as to deny access from adjacent property to such road shall generally not be permitted. However, in extraordinary circumstances, the Whitfield County Engineer may allow creation of a reserve strip to enable a more appropriate pattern of lots or roads. A notation to this effect shall be entered upon the final plat or approved as an auxiliary instrument attached thereto.

(3) Arrangement of continuing and dead-end roads. Temporary or permanent dead-end roads shall be designed as follows:

a. Arrangement of continuing roads. The arrangement of roads shall provide for the continuation of arterial and/or collector roads between adjacent properties when such continuation is necessary for convenient movements of traffic, effective fire protection, efficient provision of utilities, and when such continuation is in accordance with the arterial and/or collector road or road plan. If the adjacent property is undeveloped and the road must be a dead-end road temporarily, the right-of-way shall be extended to the property line. A temporary cul-de-sac, temporary "T", or "Y"-shaped turnabout shall be provided on all temporary dead-end roads as required in the following turnabout standards, with a notation on the subdivision plat that land outside the normal road right-of-way shall revert to abutting property owners whenever the road is continued.

b. Dead-end roads. Where a road does not extend beyond the boundary of the subdivision and its continuation is not required by the Whitfield County Engineer for access to adjoining property, its terminus shall normally not be nearer to such boundary than fifty (50) feet. However, the

Whitfield County Engineer may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turnabout shall be provided at the end of a dead-end road in accordance with the Whitfield County Site Design Ordinance.

(4) Intersections. Intersections of new roads in a subdivision shall comply with the following standards:

a. Roads shall intersect as nearly as possible at right angles. A proposed intersection of two (2) roads at an angle of less than seventy-five (75) degrees shall not be permitted. An oblique road should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet therefrom. Not more than two (2) roads shall intersect at any one point unless approved by the Whitfield County Engineer.

b. Proposed new intersections along one side of an existing road shall coincide, wherever practicable, with any existing intersections on the opposite side of such road. Where roads intersect arterial or collector routes, their alignment shall be continuous as specified in the Whitfield County Site Design Ordinance.

c. Minimum curve radius at the intersection of two (2) local roads shall be specified as indicated in the {Whitfield County Road Design and Specifications Ordinance [section 13-3 et seq.] Whitfield County Site Design Ordinance. Alley intersections and abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.

d. Intersections shall be designed with flat grade wherever practical. In rolling areas, at the approach to an intersection, a leveling area shall be provided as specified in the Whitfield County Site Design Ordinance.

(5) Additional width on existing roads. In subdivisions which adjoin existing roads, the subdivider shall dedicate additional right-of-way to meet the minimum road width requirements as follows:

a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the road.

b. When the subdivision is located on one side of an existing road, one-half of the required right-of-way measured from the center line of the existing roadway, shall be provided.

(6) Road names. Roads which are extensions of or in alignment with existing named roads shall bear that name. The names of new roads shall be subject to the approval of the Whitfield County Building, Zoning and Development Department

and shall not duplicate or be similar in sound to existing names irrespective of the use of the suffix road, avenue, circle, way, boulevard, drive, place, or court, etc. Whitfield County may regularly maintain a register of such names, accessible to the public, updated not less than monthly.

(7) Railroads and limited access highways. Railroad rights-of-way and limited access highways, where located so as to affect the subdivision of adjoining lands, shall be treated as follows:

a. In residential areas, a buffer strip at least twenty-five (25) feet in depth in addition to the normally required depth of the lot may be required adjacent to a railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designated upon the plat: "This strip is reserved for buffers; the placement of structures hereon is prohibited."

b. In manufacturing or commercial areas, the nearest road extending parallel or approximately parallel to the railroad or limited access highway shall, wherever practical, be at a sufficient distance therefrom to ensure suitable depth of manufacturing or commercial sites.

c. Roads parallel to a railroad or limited access highway, when intersecting a road which crosses the railroad at grade, shall, to the extent practical, be at a distance of at least one hundred fifty (150) feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

(8) Bridges. Bridges of primary benefit to the developer/subdivider, as determined by the Whitfield County Board of Commissioners, shall be constructed at the full expense of the developer/subdivider without reimbursement from Whitfield County. The sharing of expenses for the construction of bridges not of primary benefit to the developer/subdivider, as determined by the board of commissioners, may be fixed by special agreement between Whitfield County and the developer/subdivider. The cost shall be prorated to the developer/subdivider as to the percentage of his development so served. The engineering design of all bridges shall be reviewed and approved by the Whitfield County Engineer.

(9) Special purpose roads.

a. Half roads. Half roads are prohibited. Whenever a road is planned adjacent to the proposed lot or parcel boundary, the entire road right-of-way shall be platted within the proposed subdivision.

b. Split-level roads. Roads, which are constructed so as to have two (2) traffic ways, each at a different level within the same right-of-way, shall provide a minimum right-of-way of twenty-five (25) feet per traffic way

and such additional right-of-way as necessary to meet the requirements of section 15-36(5), and a minimum paved traffic surface of fifteen (15) feet. The slope between the two (2) traffic ways shall be not less than two to one (2:1).

(10) Road name signs. The developer shall be fully responsible for payment to Whitfield County for the installation of all road name signs, traffic control signs and any other signs as specified in the Whitfield County Site Design Ordinance.

Sec. 15-36. Stormwater drainage.

(1) The subdivider/developer shall provide adequate stormwater drainage in accordance with these regulations. The subdivider/developer shall also provide for adequate drainage all surface water drainage.

(2) The drainage system for a subdivision, residential, commercial, or manufacturing, shall be designed in accordance with sound engineering principles and procedures such that all marketable lots or parcels upon the plat are positively drained.

(3) The drainage system shall be designed to accommodate drainage from adjacent lots or parcels which naturally drain to or through the lands being subdivided. The drainage system shall be designed such that it does not affect the natural drainage onto adjacent parcels unless an agreement is obtained by the developer/subdivider from the owner of such adjacent parcels. A copy of any such agreement shall be submitted to the Whitfield County Engineer.

(4) Drainage facilities which are designed to accommodate flowing waters shall be hydraulically designed to function when subjected to the maximum flow rate which may be expected to occur no more often than once in ten (10) years.

(5) Drainage facilities which are designed to handle water accumulations shall be designed to accommodate the maximum water level which may be expected to occur no more often than once in twenty-five (25) years. Necessary drainage facilities including, but not limited to, culverts, rights-of-way, and easements, shall be offered for dedication to Whitfield County.

(6) All drainage systems discharging into any state waters, including but not limited to wetlands, as determined by the U.S. Army Corps of Engineers, shall pass through an approved sedimentation and detention pond prior to such discharge.

(7) A master drainage plan shall be submitted to the Whitfield County Engineer simultaneously with the submittal of a preliminary plat.

Sec. 15-37. Utilities.

(1) Water supply and sanitary sewer. The public-governmental water system and sanitary sewer design, materials and construction methods shall be approved by Dalton Utilities, or other applicable governmental authority having jurisdiction. Where a public-governmental water supply and/or sanitary sewer system is available within two hundred (200) feet of any portion of any lot or parcel within the subdivision, all subdivisions and/or developments shall connect to such systems and shall provide every lot or parcel therein with public water and/or sewer as available.

(2) [Water mains.] When a water main is to be located in a road right-of-way and it will be necessary to cut into the road surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot before the road base is applied.

(3) Natural gas. When natural gas lines are located in a road right-of-way and it will be necessary to cut into the road surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot prior to applying the road base.

Sec. 15-38. Improvement maintenance security.

(1) Maintenance required. The developer/subdivider shall be required to maintain all public improvements in a development for a period of one (1) year from the date of Whitfield County's acceptance of such infrastructure.

(2) Maintenance security form and amount. The developer shall post with the Whitfield County Administrator simultaneously with Whitfield County's acceptance of such infrastructure an irrevocable letter of credit or other acceptable security in an amount equal to ten (10) percent of the total cost of the public improvements. The purpose of the security is to insure faithful maintenance of said installations and improvements by the developer.

(3) Call for security. If, upon being notified by the Whitfield County Administrator of failure of required installations or improvements, the developer/subdivider does not correct the deficiency or commence work within ten (10) days of notice, it shall be deemed to be a failure upon the posted security, and the Whitfield County Board of Commissioners shall have the right to make the necessary repairs, either by public work or by private contract, and the surety, cash deposit and/or escrow account aforesaid shall be liable for the full amount of the cost of said repairs. The ten (10) percent security does not indemnify the developer from costs exceeding the ten (10) percent security during the one-year maintenance period. Such overages may be collected as provided by law.

(4) Release of security. At the end of the one-year period of time, the Whitfield County Board of Commissioners shall release the security upon the final resolution of all previously noted maintenance issues.

15-39 Soil Erosion and Sedimentation Control.

(1) Prior to any land disturbance activities which require a land-disturbance permit, a Master Erosion Control Plan for the entire subdivision (whether exempt, minor, or major subdivision) must be submitted to the Whitfield County Erosion Control Manager.

(2) The Whitfield County Erosion Control Manager, prior to the initial disturbance, must approve any land disturbance activities.

(3) Best Management Practices (or Erosion and Sediment Control Measures and Practices) shall be implemented prior to, or concurrent with, any land disturbance activity.