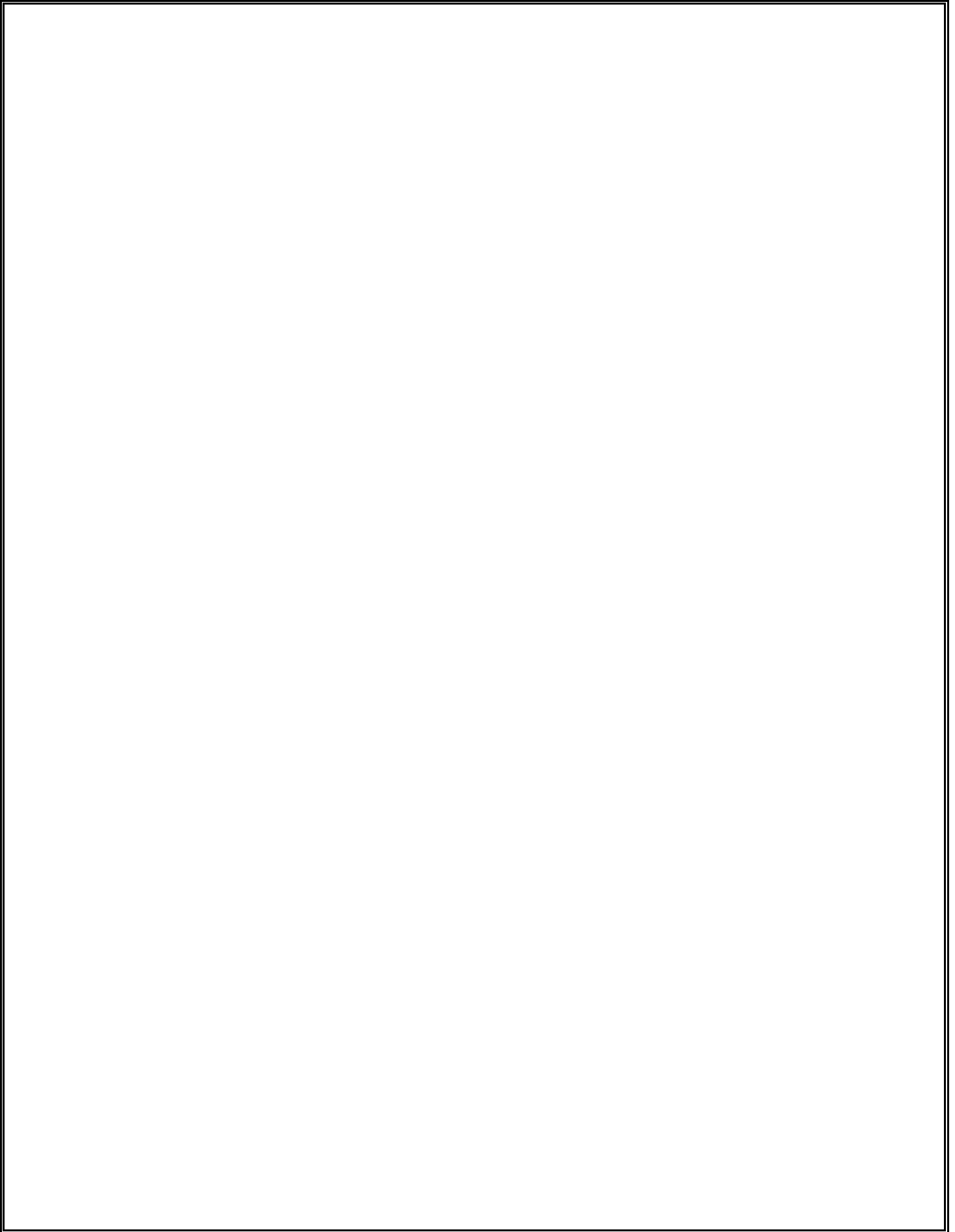


LAND SUBDIVISION ORDINANCE
OF
COOK COUNTY, GEORGIA

ADOPTED JULY 7, 1997

**Prepared by the
Greater Cook County Planning Commission in Cooperation with the
South Georgia Regional Development Center**



AN ORDINANCE REGULATING THE SUBDIVISION OF LAND IN COOK COUNTY, 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 ORDAINED by the Board of Commissioners of Cook County:

ARTICLE I

SHORT TITLE, PURPOSE, AND JURISDICTION

1-1 Short Title. This ordinance shall be known as the "Land Subdivision Ordinance of Cook County, Georgia."

1-2 Purpose. This ordinance 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.
- e.** To assure that land is developed in conformity with the Comprehensive Plan for Cook County.

1-3 Jurisdiction. This ordinance shall govern all subdivision of land within the unincorporated area of Cook County, Georgia.

ARTICLE II

DEFINITIONS

2-1 General. When used in this ordinance 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.

2-2 Abutting Property. Any property that is immediately adjacent or contiguous to property proposed to be subdivided or that is located immediately across any road or public right-of-way.

2-3 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.

2-4 Applicants. Any person who submits subdivision plans to the county for the purpose of obtaining approval thereof.

2-5 RESERVED.

2-6 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 projection of footings; provided, however, that such overhang does not exceed six (6) feet and does not encroach upon the adjacent property or right-of-way.

2-7 Chairman. The Chairman of the Greater Cook County Planning Commission.

2-8 Comprehensive Plan. The Comprehensive Plan for Cook County, Georgia, adopted by the County Board of Commissioners, which may consist of the Major Thoroughfare Plan, General Land Use Plan, Street and Road Classification Plan, and other maps, data, and descriptive matter for the physical development of the County or any portions thereof, including any amendments, extensions, or additions thereto as adopted by the County Commission.

2-9 Cook County Health Department. The Cook County Board of Health, the Cook County Health Department and/or the State of Georgia Department of Human Resources. The words Cook County Health Department and/or Cook County Environmental Officer are used in this ordinance to denote the fact that all matters pertaining to health regulations shall be directed to that official or his staff.

2-10 County. Cook County, Georgia.

2-11 County Commission. The Board of Commissioners of Cook County, Georgia.

2-12 County Engineer. A public official appointed by the Board of Commissioners who has specialized training in engineering and is registered to practice in the State of Georgia.

2-13 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.

2-14 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 this ordinance.

2-15 Developer. Same as Subdivider (See Section 2-31).

2-16 Development. The act or process of erecting buildings, structures, or of making improvements to property, or laying out and dividing land.

2-17 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; i.e., drainage easements and water and sewer easements.

2-17.1 Flood Prone Area. An area identified as having a potential flood hazard pursuant to the Cook County Flood Damage Prevention Ordinance, as amended.

2-17.2 Guarantee. A maintenance bond, in the amount of thirty (30) percent, required by this Ordinance, which guarantees to Cook County all materials and workmanship of any minimum improvements installed in a subdivision.

2-18 Improvement Plan. The second stage of plat or subdivision plan review, as described in Section 4-2 of this ordinance. For the purpose of the enforcement of this ordinance, the improvement plan must include the Soil Erosion and Sedimentation Control Plan and Land Disturbance Program.

2-19 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.

2-20 Lot. A portion or parcel of land separated from other portions or parcels by description, as on a subdivision plat or record of survey map or as described by metes and bounds, and intended for transfer of ownership or for building development. For the purpose of this ordinance, the term does not include any portion of a dedicated right-of-way.

2-20.1 Lot of Record. A lot which is part of a subdivision recorded in the Office of the Clerk of Superior Court, or a parcel described by metes and bounds, the description of which has been so recorded, prior to the adoption of this ordinance.

2-21 Lot, Corner. A parcel of land at the junction of and fronting on two (2) or more streets.

2-22 Lot Width. The distance measured straight between the side lot lines, measured at the intersection of the building line, which shall be parallel to the street right-of-way line.

2-23 M.S.L. Mean Sea Level.

2-23.1 Performance Bond. A legal instrument made payable to the Cook County Board of Commissioners, which a developer may post with Cook County to permit recording of a final plat prior to completion of the required minimum improvements.

2-24 Planning Commission. The Greater Cook County Planning Commission, as duly appointed by its respective member governments.

2-25 Plat. A map, generally of a subdivision, showing the location, boundaries and ownership of

individual properties.

- a. **Plat, Preliminary.** The first stage of plat or subdivision plan review, as described in Section 4-1 of this ordinance.
- b. **Plat, Final.** The final stage of plat or subdivision plan review, as described in Section 4-3 of this ordinance.

2-25.1 Private Road. A private access right-of-way for vehicular and pedestrian use which is designed and constructed by a private developer to County road specifications but not dedicated to the County for routine maintenance, resurfacing or replacement purposes.

2-25.2 Private Water/Sewer System. Utility service systems owned by private individuals, businesses or corporations which provide water and sewer services to a particular land development. For the purpose of this ordinance, private systems are those which are not owned by a municipal corporation or county government, nor are there any public trust arrangements for their construction and/or maintenance.

2-25.3 Protective Covenant. A private contract, existing between the land subdivider or developer and subsequent property owners of a particular defined area, limiting design and usage of similarly situated properties. These instruments are generally publically recorded with a particular land subdivision, and maintenance and enforcement of the contract is between the private parties.

2-26 Public Water and Sewage Systems. A system owned and operated by Cook County or one of its incorporated municipalities.

2-27 Public Right-of-Way. A portion of land being used as a public street, road, thoroughfare, crosswalk, drainage canal, and/or other similar uses and designated by means of right-of-way deed.

2-28 Road Superintendent. The official to whom the responsibilities normally associated with this title have been delegated by the Cook County Commission.

2-29 RESERVED

2-30 Street. A public right-of-way which provides vehicular access to abutting property.

2-30.1 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 county.

2-30.2 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 arterial streets.

2-30-3 Dead-end Street: A street having only one end open for access to another street, and other end being abruptly terminated with no turnaround.

2-30-4 Marginal Access Street: A street generally parallel to and adjacent to an arterial street providing access to abutting properties and protection from through traffic.

2-30-5 Local Street: A street used for local circulation in areas providing access to abutting property.

2-31 Subdivider. Any person, firm, corporation, association or partnership or any agent thereof who undertakes or proposes to undertake the subdivision of land so as to constitute a subdivision as herein defined.

2-32 Subdivision. All divisions of a tract or parcel of land into four or more lots, parcels, building sites, or other divisions for the purpose, whether immediate or future, for sale, legacy, or building development, including all division of land involving a new street or a change of width or alignment in existing street(s), 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:

- a. Where located on an existing public road or street, 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 County.
- b. The public acquisition of land.
- c. The sale of public land.
- d. The subdivision of land into parcels of 10 acres or more where located on an existing public (county maintained) road. Each ten-acre or larger parcel must abut a public road a minimum of 80 feet.
- e. A division or sale of land among heirs by judicial decree, provided that all lots created by the subdivision must front existing state or county roads or an approved private road.

Should a developer initially plat less than four lots and at some later date apply to add additional lots so as to avoid having to follow these regulations, the entire area that the developer wishes to plat will be considered one (1) subdivision and all subdivision rules and regulations shall apply.

2-33 Tax Assessor. The Cook County Board of Tax Assessors.

2-34 Tract. A portion of land with definite and ascertainable limits or boundaries. (See definition of "Lot".)

2-35 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, cable, and sewage disposal.

2-36 Variance. The relaxation of a dimensional requirement or design standard described within this ordinance as it applies to the development of a particular tract or parcel of land.

2-37 Zoning Ordinance. The zoning ordinance enacted by the Board of Commissioners of Cook County, Georgia, as duly amended.

ARTICLE III

GENERAL

3-1 Platting Authority. From and after the passage of this ordinance, 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 Cook 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 appropriate agencies and/or authorities as required by this ordinance is declared to be a misdemeanor.

3-2 Use of Plat. The transfer or sale of land by reference to, exhibition of, or other use of a plat of a subdivision that has not been given final review by the Planning Commission and recorded in the office of the Clerk of the Superior Court of Cook 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 Board of Commissioners of Cook County 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 ordinance, unless such street corresponds to the street location shown on a reviewed subdivision plat or the Major Thoroughfare Plan. However, the County Commission may accept, lay out, open, and improve any street not so platted if it first proposes the action at public hearing for review and comment and adopts the proposal as an amendment to its Major Thoroughfare Plan. Developers of subdivisions will be solely responsible for acquiring all rights-of-ways and dedicating same to Cook County so that in the event Cook County needs to perform maintenance, rights-of-ways will be in place.

3-4 Issuance of Building Permits. Cook County will not issue building permits for any parcel of land, lot, tract, or building site subject to this ordinance that has not been designated and recorded as required by this ordinance. Lots of record are not subject to this requirement. (See 3-7)

3-5 Zoning Ordinance Compliance. No subdivision shall be accepted for review which does not conform with the Cook County Zoning Ordinance. Proposed subdivisions must conform with the zoning district classification requirements applicable to the land for which it is proposed.

3-6 Official Interpretation. The requirement(s) of this ordinance, as they may apply to a proposed land subdivision, shall be officially interpreted by the Greater Cook Planning Commission. In cases which the subdivider disagrees with the official interpretation of these regulations, the developer may appeal to the Cook County Commission pursuant to the guidelines established in Section 9-4.

3-7 Nonconforming Lots. Any lot for which a plat or legal description (i.e., metes and bounds) has been recorded in the Office of the Clerk of the Superior Court of Cook County which was recorded prior to the adoption of the Cook County Land Subdivision Ordinance, shall be recognized as a non-conforming lot of record and may be utilized for any of the uses permitted by the Cook County Zoning Ordinance in its respective zoning district, subject to current zoning ordinance limitations.

3-8 Variances. All variances shall be reviewed and acted upon by the Planning Commission on a case-by-case basis. Any request for variance shall be based on circumstances unique to the subject property and proposed alternate design or improvements must follow accepted standard engineering practices and principles.

3-9 Appeal to the Board of Commissioners. Any party aggrieved because of alleged error in any order, requirements, decision, or determination made by the Zoning Administrator, Planning Commission, or any other party in enforcement of this Ordinance, may appeal in writing to the Clerk of the Board of Commissioners for an interpretation of the pertinent Ordinance provision. In exercising this power of interpretation, the Board of Commissioners may, in conformity with the provisions of this Ordinance, reverse or affirm any order, requirement, decision, or determination made by the Zoning Administrator, Planning Commission, or any other party. (See 9-4)

3-10 Appeal from the Board of Commissioners. Any party aggrieved by any decision of the Board of Commissioners may seek review of such decision by a Court of Record, as provided by law.

ARTICLE IV

REVIEW OF SUBDIVISIONS

Pre-application Procedure. The subdivider may visit with the Cook County staff and discuss the effect of the Comprehensive Plan, the Major Thoroughfare Plan and other official plans on the proposed subdivision, as well as general design standards, zoning, and related matters.

The subdivider may submit pre-application plans and data for review, advice, and assistance by the, Road Superintendent, County Engineer, and the Cook 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 County in which it is located.
- b. A simple sketch plan on a topographic survey showing general layout of lots, streets, major drainage ways, and other features in relation to existing conditions on the site and the surrounding street system.
- c. General subdivision information including data on proposed or 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 in four (4) 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 ordinance. The preliminary plat requires only approximate accuracy of scale and dimension. Public reviewing agencies having jurisdiction, including but not limited to the Cook County Health Department, County Engineer, County Road Superintendent, and the appropriate municipality, if applicable, 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 Cook County Zoning Administrator in the form of a Final Plat, provided that essential data required by the reviewing agencies to insure compliance with the intent of this ordinance is submitted.

4-1.3 Filing: Any person desiring to subdivide land shall file with the Cook County Zoning Administrator five (5) copies of the preliminary plat accompanied by a letter of application. The letter of application shall contain the name 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, plans for potential annexation, and plans for serving the proposed subdivision with sewer and water facilities. The plat shall be prepared in accordance with

this ordinance and with applicable County 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 County when it is filed with the Cook County Zoning Administrator. At the time of filing, a certificate of filing shall be provided to the subdivider and shall include the time and date of filing. Filing of the preliminary plat shall be accomplished at least fifteen (15) working days prior to the regular Planning Commission meeting at which it is to be considered. The preliminary plat shall include:

- a. **Title Block and North Arrow:** The plat will show the name of the proposed subdivision, its location, 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 or 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 clearly 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. This may be best accomplished by utilization of the Cook County Flood Hazard Boundary Maps. Any identified Flood Hazard Area shall be clearly indicated on 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-ways, 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, and names of adjoining property owners or subdivisions shall also be indicated. Flood plain areas, as identified on officially adopted county maps, and any wetlands areas, as identified on draft U. S. Department of the Interior National Wetlands Inventory Maps, shall be clearly delineated.
- 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 sewage disposal and water facilities will be provided. If private sewer is proposed to serve a subdivision, then soils will be identified according to local Soil Conservation Service soil maps (see Section 2-20) and 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. If public

water or sewer are proposed, a letter from the providing jurisdiction shall accompany the submittals.

- 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 tract plan has been given approval by the Planning Commission, five (5) copies of the approved future tract plan must be provided for distribution to the various reviewing agencies and the inspections office.
- h. Soil Erosion Control:** A "Soil Erosion Control Plan", prepared in accordance with "Cook County Soil Erosion and Sedimentation Control Ordinance's" latest revisions, shall be submitted to the County Zoning Administrator simultaneous with the Improvements Plan. (See 4-2)
- i. Wetlands:** Approximate location of wetlands boundaries shall be delineated on the Preliminary Plat. All Preliminary Plats delineating wetlands shall have on the face of said Preliminary Plat the note "No fill or work shall be permitted within jurisdictional wetlands without a prior permit from the U. S. Army Corps of Engineers." All minimum lot areas per designated zoning classification requirements shall be calculated upland of any wetlands boundaries within or contiguous to the project.

4-1.4 Completeness: If any of the above required information is omitted or misrepresented on the plat, the Cook County Zoning Administrator may refuse to review the plat and shall return the plat to the subdivider to be completed or revised. The plat, upon revision, may be resubmitted as a new preliminary plat.

4-1.5 Approval by Individual Agencies: No preliminary plat shall be approved by the Planning Commission unless it is approved by the County Engineer, Road Superintendent, and the Board of Health. Said agencies shall, with or without modification, approve the preliminary plat to the extent that each has jurisdiction. If the plat is rejected, the respective reviewing agency shall provide the Planning Commission with a written statement specifying all aspects where the plat fails to comply.

4-1.6 Coordination: Upon receipt of the filing of the preliminary plat, the Zoning Administrator shall prepare the submitted materials for review by the appropriate agencies. The various agencies shall complete their reports in a timely fashion, and shall submit their findings to the Planning Commission for review and approval. It shall be the responsibility of the Zoning Administrator to coordinate these reviews and to insure reports are brought together in a timely fashion for proper presentation to the Planning Commission.

4-1.7 Approval by Planning Commission: Approval or disapproval of the Preliminary Plat shall be accomplished within thirty (30) days after the plat is filed with the planning commission. If after thirty (30) 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 Preliminary Plat is disapproved, the reasons therefore shall be stated in the resolution disapproving the same and the subdivider shall be so informed.

4-1.8 Preliminary Plat Approval Duration: Approved preliminary plats are valid for one (1) year only from the date of approval. If the final plat or improvement plan have not been submitted within this time period, preliminary plat approval becomes invalid and must be resubmitted.

4-2 Improvement Plans.

4-2.1 General Requirements: Subdivision plans receive their second official consideration as "improvements plans." These improvements plans shall be approved by the County Engineer and Road Superintendent who shall certify that the improvement plans are in conformance with this ordinance, official County specifications, and with the requirements of the approved preliminary plan. No developer shall proceed with any construction work in the proposed subdivision before obtaining this approval from the Road Superintendent and/or County Engineer, which must be in writing.

4-2.2 Professional Engineer Required: Should certain design calculations be required to resolve flow problems, possible erosion or drainage problems, or other detailed engineering problems which might be encountered in the process of preparing the required improvement plan, the County Engineer shall be authorized to require the developer to obtain services of a qualified registered land surveyor or a professional engineer in the improvement plan design process. Should such services be required, such plans shall reflect his registration. All professional surveying or engineering service costs shall be the sole responsibility of the applicant.

4-2.3 Filing: To secure formal review and approval of his improvement plans, the developer shall file with the Zoning Administrator three (3) certified (signed and sealed by the developer's registered surveyor or professional engineer) white background prints of the improvement plans, the Zoning Administrator will then distribute the improvements plan to the County Engineer and Road Superintendent who shall jointly review the proposed improvement plans and shall approve or deny the proposed improvements plans. The Zoning Administrator shall notify the Planning Commission of the action in writing. The review of the improvement plan shall include the review of plans for compliance with the Cook County Erosion and Sedimentation Control Ordinance, as amended.

- a. **Approval** means the developer is now authorized to proceed with the physical improvements in the subdivision, after securing any required construction permits, and may proceed with the preparation of the final subdivision plat.
- b. **Conditional approval** means the developer may proceed as outlined in the preceding paragraph, but only after he submits three (3) certified copies of the corrected improvement plans to the County Engineer and Road Superintendent of their review and approval.
- c. **Denial** means disapproval of the improvement plans. For further consideration, the developer must rework his plans to conform to the requirements of this ordinance, and then submit the reworked plans to the Zoning Administrator as though they were a completely new set of plans.

4-2.4 Plans and Data Required for Improvement Plan Submission

The plans for the required minimum improvements shall be prepared and approved by the County Engineer and Road Superintendent prior to construction and only after approval of the preliminary plan. Such improvement plans shall show the proposed locations, sizes, types, grades and general design features of each facility or improvement, and shall be based on reliable field data. Improvement plan approvals are good for 24 months. If the subdivision is sold prior to completion and final platting, a mandatory review by the County Engineer and Road Superintendent is required. Failure to comply may result in revocation of construction permit after notice and hearing before the Planning Commission. The developer shall receive a minimum of ten (10) days written notice of said hearing.

The improvement construction drawing shall be submitted on white background prints. The sheet size shall be twenty-four (24) inches by thirty-six (36) inches unless another size is approved by the County Engineer. The drawing shall include the following information:

- a. **Construction Plans.** The developer shall provide the plan and profile of each proposed street (indicating the existing ground surface elevation and proposed street grade surface elevation including extensions for a distance of one hundred (100) feet to three hundred (300) feet beyond the tract boundary) as required by the County Engineer. Design shall be in accordance with good engineering practices.
- b. **Street-Typical Sections.** A typical section of each proposed street shall be submitted, showing the width of pavement and the rights-of-way.
- c. **Water Supply and Stormwater Drainage.** The plan and profile of proposed utility distribution systems, and storm drainage sewers or other drainage ways, with grade and sizes indicated is required. Stormwater drainage shall be consistent with applicable County or City ordinances and other applicable governmental agencies. Water and sewer systems shall be approved by the local jurisdiction providing services and all relevant state agencies. Final approval of the improvement plans shall not be made until the developer submits to the County Engineer all final permits required for the construction of all improvements from other state, local jurisdictions providing utility services, or federal agencies.
- d. **Utility Service Agreement.** A developer's agreement for utilities service shall be required before final development plan approval is granted.
- e. **Other Public Improvements.** A plan shall be prepared for parks, recreation or other public use areas and improvements if included in the approved preliminary plan.
- f. **"As Built" Plans.** The designing surveyor or engineer shall submit to the County Engineer three (3) sets of white background prints of certified "as built" plans prior to recording of the final plat.

4-2.5 Approval of Construction Drawings/Time Duration. 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 conditional approval of said engineering plans from the County Engineer as follows:

- a. The design of all minimum improvements shall be under the direction of a registered professional engineer or registered land surveyor in the State of Georgia with all plans bearing his/her professional seal;

- b. A letter of approval shall accompany all water and sewer plans from the County Health Department or the appropriate municipal utility official, if applicable;
- c. If construction has not commenced within one (1) year of the construction plan approval, said approval shall become invalid, at which said time a new preliminary plan must be submitted per current regulations at the time of resubmission.

4-3 Final Plat.

4-3.1 Conformance: The final plat shall conform with the preliminary plat. If desired by the subdivider, he may submit only that portion of the preliminary plat he proposes to record and develop at that time; provided, that such portion conforms with all requirements of this ordinance. The record plat is to be prepared and sealed by a registered design professional, licensed in the State of Georgia. No plat of a land subdivision shall be recorded unless the plat conforms to Cook County Zoning Ordinance and the acceptance of the required Guarantee by the Cook County Board of Commissioners.

4-3.2 Filing: Filing the final plat with the Zoning Administrator 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 deviations, if any, from the 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 fee to cover the cost of investigation and review of the preliminary plan, construction plans, the final plat, and final recording costs will be charged at time of application. The fees are as set by the Cook County Board of Commissioners.
- f. The original reproducible on plastic or linen and five (5) blue-line prints of the final plat, which will include the following:
 - 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) and the requirements thereof, as set forth in this ordinance and shall be drawn in black India ink on one or more sheets of linen tracing cloth or mylar film measuring eighteen (18) inches by twenty-four (24) inches. When two or more sheets are used, a key

map shall be shown on each sheet. There shall be a two (2) inch margin on the left end of the plat and a one-half (1/2) inch margin on the remaining three 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" in 100 feet. If necessary, more than one sheet may be used as long as a key map is provided to relate each sheet to the entire platted area.

- 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:

SEE SAMPLE PLAT

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 angle 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 No. _____

- 4-3.2f.2 a. The surveyor must certify whether or not the property is located _____ in a special flood hazard zone and indicate the informational _____ source and zone of the property. If the property is located within a flood hazard zone then the limits of the zone must be shown.

- 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:

Sub-

We, the undersigned owner(s) and/or mortgagee(s) of the _____ division, hereby offer to dedicate and/or reserve for public use the rights-of-way, easements and other ground as shown on this plat.

Owner	Date	Mortgage	Date
_____	_____	_____	_____
_____	_____	_____	_____

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

Approved by the Board of Health, Cook County, Georgia.

Date _____ Signed _____
Health Department Representative

Approved by County Engineer, Cook County, Georgia.

Date _____ Signed _____
County Engineer

Approved by the Cook County Road Superintendent

Date _____ Signed _____
Road Superintendent

Approved by the Greater Cook County Planning Commission.

Date _____ Signed _____
Chairman

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 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 one/one-hundredth (1/100th) of a foot, and all angles shall be shown to the nearest second. The error of closure shall be as set forth in the Georgia Platting Act, 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), as amended. The final plat shall have a note listing the following:

Total Acres _____

Total Lots _____

NOTE: Distances shown are scaled.

6) **Monuments:** The final plat shall show the accurate location, material and description of all monuments. A permanent master bench mark shall be established (subject to the approval of the County Engineer) within or adjacent to the site by transfer of levels, not less than third order accuracy, from the nearest approved bench mark of known mean sea level (M.S.L.) elevation showing its location on the final plat and recording its elevation on the final plat to the nearest one/one hundredth (1/100th) of a foot.

7) **Easements:** In addition to the requirements for the preliminary plat as set forth in Section 4-1.3d of this ordinance, 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) **Improvement Plan:** At such time as the final plat is filed for review with the Zoning Administrator, the subdivider shall submit improvements plans to the Road Superintendent and County Engineer for review and approval if not

previously approved. Construction drawings shall conform to county specifications.

- 4-3.3 Filing Certificate:** The final plat shall be deemed filed with the Planning Commission when it is filed with the Zoning Administrator. 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 this ordinance and applicable County requirements by a registered land surveyor, who is licensed under the laws of the State of Georgia. The Zoning Administrator and County Engineer shall have authority to reject the final plat if they find that it does not conform with the preliminary plat or this ordinance. If the plat is rejected, the Zoning Administrator shall provide the subdivider with a written statement specifying all the respects in which it does not conform. Filing the final plat shall be accomplished at least fifteen (15) working days prior to the regular Planning Commission meeting at which it is to be considered.
- 4-3.4 Approval by Individual Agencies:** No final plat shall be approved unless the Planning Commission first obtains concurrence of the Cook County Health Department, and the County Engineer, Road Superintendent, and any affected local jurisdiction providing utility services. Said agencies shall review, with or without modification, or disapprove the final plat to the extent to which each has jurisdiction. Within ten (10) working days of time of submittal, the developer will be notified of approval or disapproval. If disapproved, reasons for denial shall be noted.
- 4-3.5 Zoning Administrator Review.** The Zoning Administrator, with assistance from the county's planning advisor, shall review the final plat for technical compliance with the Cook County Land Subdivision Ordinance, Zoning Ordinance, Comprehensive Plan, and other county ordinances that might impact on the proposed land subdivision. This review shall be submitted to the Planning Commission along with the review of the respective agencies having jurisdiction.
- 4-3-6 Coordination:** It shall be the responsibility of the Zoning Administrator to insure that the respective reviews of the County Engineer and Road Superintendent, and Board of Health are brought together in a timely fashion for proper presentation to the Planning Commission.
- 4-3.7 Review by Planning Commission:** Review of the proposed final subdivision plat shall be made by the Planning Commission at its next regular meeting. The Zoning Administrator shall be responsible for coordination of information to be brought before the Planning Commission, which at a minimum, shall include the recommendations of the Road Superintendent, County Engineer, and the Health Department. The Planning Commission may grant final approval or may deny the plat if it does not meet standards.
- 4-3.8 Recording a Plat:** Upon satisfactory compliance with this ordinance, and after review by the Planning Commission, the final plat will be forwarded to the Cook County Administrator to retain until such time that all required minimum improvements have been completed, inspected and approved by the county, and the required guarantee has been posted. At such time the Cook County Administrator shall release said final plat for recording. The plat shall be returned to the Zoning Administrator who shall record the plat in a timely manner.
- 4-3.8.1 Performance Bonding in Lieu of Completion of Minimum Improvements:**
Upon the County Commission's approval, a developer may choose to post a

performance bond in the form of a "Commercial Irrevocable Letter of Credit" or a "Certified Check", drawn on a banking institution operating within the state of Georgia, in lieu of completion of minimum improvements. In any such case, the performance bond shall be in the amount of one hundred twenty-five percent (125%) of the proposed improvements costs as reviewed by the County Engineer and accepted by the Cook County Board of Commissioners. The required guarantee (see Section 7-3) must be posted prior to release of the performance bond.

4-3.9 Revision to a Recorded Plat: Proposed revisions to a recorded plat which do not affect platted rights-of-way may be submitted for administrative approval in accord with the provisions of Section 4-2.13. 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. Revisions to a recorded plat which involve platted rights-of-way or other major changes shall be submitted as a preliminary plat.

4-3.10 Distribution: The Zoning Administrator shall make the following distribution of prints and reproducibles:

Clerk of Court (Recording copies)	Original linen or plastic reproducible and one (1) print
County Engineer	One (1) print & (1) reproducible
Road Superintendent	One (1) print & (1) reproducible
Building Inspector	One (1) print
Cook County Fire Coordinator	One (1) print
County Tax Assessor	One (1) print
County Health Department	Two (2) prints
Sheriff's Department	One (1) print
Servicing Telephone Company	One (1) print
Servicing Electrical Utility Company	One (1) print
Cable TV Company	One (1) print
Emergency Medical Services	One (1) print
Civil Defense Director	One (1) print
Board of Education	One (1) print

Post Office	One (1) reproducible & two (2) prints
Planning Commission	One (1) reproducible & two (2) prints
Affected local jurisdiction providing utility services	One (1) reproducible & two (2) prints

4-3.11 Administrative Review of Small Subdivisions and Resubdivisions: Where a proposed subdivision presents no engineering problems, no required improvements, and few, if any, planning problems, the Zoning Administrator may waive the requirements of filing a preliminary plat and may recommend review of the final plat to the Planning Commission. In addition, where located on an existing road or street, the combination or recombination of previously platted lots, where the total number of lots does not increase, and the resultant lots are equal to the current standards of the County shall also be subject to administrative review. Such plats shall conform fully to the requirements of this ordinance. It shall be the responsibility of the Zoning Administrator to coordinate said administrative review responsibilities.

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 fifteen hundred (1,500) feet nor be less than four hundred (400) feet. Blocks of more than fifteen hundred (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 and length when public or joint use areas such as parks and playgrounds are included in the project design. These areas 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 twenty (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 twenty (20) feet. All proposed lines outside the street right-of-ways shall follow side and rear property lines where possible and at a width determined by the County Engineer and Road Superintendent necessary for construction and maintenance. Where possible, (as determined by the County Engineer), water lines shall be located on the west and south sides of streets and sewer and gas lines shall be on the east and north sides. Wherever utility easements are planned adjacent to the subdivision tract boundary or phase, they shall be platted within said subdivision or phase thereof. All utilities within said subdivision shall be located within street rights-of-way or properly designed utility easements. Underground utilities at the developer's expense are encouraged in lieu of aerial service.
- 5-2.2 Drainage:** No subdivision plat shall be accepted or approved unless it includes a hydrology plan, sedimentation and soil erosion control plan certified by a professional engineer or registered land surveyor. The plan shall provide a means of detaining storm and surface water runoff on site, up to and including a fifty (50) year flood event, with such runoff to be released from the property at the same rate of flow that existed prior to the development of property. The engineer or surveyor shall certify that the designed storm water detention system for the development will fully satisfy these provisions. The County Engineer will verify the accuracy of the drainage plans and may call upon the services of other design professionals for review at the expense of the developer should onsite conditions warrant

more detailed review. The developer is solely responsible for the accuracy of all the submitted plans.

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 ten (10) feet measured from all sides of said building shall have a minimum elevation of three (3) feet above the 100 year flood stage of streams or canals in the particular area being developed based on acceptable engineering procedure and reviewed by the County Engineer. Said minimum elevation shall be subject to approval by the Board of Health. No change of elevation necessary to meet this requirement will be permitted if the change constitutes filling within a designated flood hazard zone.

5-3.1 (a) Flood Prone Areas. All preliminary and final plats shall clearly delineate identified floodplain areas in conformance with the Cook County Flood Damage Prevention Ordinance.

5-3.1 (b) Wetlands. Delineated wetlands shall be indicated on the plat.

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 Cook County or in other sections of this ordinance.

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 thirty (30) foot radius.

5-3.4 Double and Reverse Frontage: Lots having street frontage both to the front and rear shall be prohibited (unless allowed by variance) except to provide for separation of residential development from railroad right-of-way or 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 on said railroad or right-of-way, or major or collector street right-of-way. All 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 its ingress/egress control shall be dedicated to Cook County.

5-4 Building Lines. All building setback lines shall be as specified in the Zoning Ordinance of Cook County.

5-5 Commercial and Industrial Use Buffer Zones: When a portion of the subdivision is to be devoted to commercial and/or industrial purposes and when the commercial and/or industrial 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 twenty (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, lighting, parking or signage, or portion thereof may be constructed in said buffer zone, and its control shall be dedicated to

Cook County. Said non-encroachable buffer zone shall be labeled as such on the subdivision plat and shall be planted at the time of installation of the required minimum improvements.

5-6 Streets. The street and road system of any subdivision shall give due consideration to the Major Thoroughfare Plan. A right-of-way that is determined to be limiting the growth or traffic flow of an area will not be accepted.

- 5-6.1 Access:** Every lot of every subdivision shall have adequate access and abut a public street or road which shall be maintained by the county upon formal acceptance by the Board of County Commissioners, or said lots must abut an approved private road. Where the subdivision does not immediately adjoin a federal, state, county, or city road or street, the subdivider shall provide access by either a public street or an approved private road from the subdivision to said road.
- 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 public streets.
- 5-6.3 Cul-de-sacs:** Cul-de-sacs shall terminate in a circular turnaround having a right-of-way of not less than one hundred twenty (120) feet. Paving within the turnaround shall have an outside diameter of not less than sixty (60) feet. Temporary cul-de-sacs, approved by the Planning Commission, may be surfaced with gravel.
- 5-6.4 Dead-end Streets:** Permanent dead-end streets and dead-end alleys shall be prohibited unless terminated with a cul-de-sac.
- 5-6.5 Half Streets:** Permanent half streets and half alleys shall be prohibited. Half streets and half alleys are streets and alleys with substandard rights-of-way.
- 5-6.6 Intersections:** The center line of no more than two (2) streets shall intersect at any one point. No street shall intersect another street at less than eighty (80) degrees and shall as nearly as possible intersect at ninety (90) degrees.
- 5-6.7 Right-of-way Radius:** The right-of-way radius at street intersections shall be no less than thirty (30) feet except where Georgia Department of Transportation standards prevail.
- 5-6.8 Curved Streets:** The centerline radius shall not be less than three hundred and fifty (350) feet for arterial streets, and one hundred twenty (120) feet for collector and local streets. Centerline tangents between reverse curves shall be not less than two hundred (200) feet for arterial streets and one hundred (100) feet for collector streets and local 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 one hundred and fifty (150) feet between centerline off-sets. This provision shall not negate the design 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 Alleys: Alleys shall not be allowed in residential subdivisions.

5-6.13 Street Right-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 below.

Street Classification	Minimum Right-of-way (In Feet)	Minimum Pavement Width (In Feet)
Arterial	100	24
Collector	80	20
Local Street	60	20
Easements	*	*

Subdivision streets shall have a minimum 20 foot minimum pavement width with properly designed swale ditch which shall be developed within a sixty (60) foot right-of-way. Subdivisions planned for annexation shall be developed to current appropriate city standards and shall be subject to review of the respective city engineer.

* As appropriate for the proposed development, with approval required by the County Engineer.

5-6.14 Additional Rights-of-way: If the subdivision boundary line lies adjacent to the right-of-way line of an existing street of less than minimum right-of-way width, the required extra right-of-way to bring the street to current standards shall be dedicated.

5-6.15 Provisions 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 Comprehensive Plan. The acquisition of such land shall rest with the appropriate public authority.

ARTICLE VI

MINIMUM IMPROVEMENTS

6-1 General. The subdivider shall provide all public improvements as required by this ordinance and by applicable County specifications and requirements.

6-1.1 The design of all minimum improvements shall be under the direction of a registered land surveyor or professional engineer registered in the State of Georgia and all plans shall bear his seal. (See Section 4-2.2)

6-1.2 A certificate of approval from the Cook County Health Department shall accompany all water and sewer plans, and a certificate or letter from any local jurisdiction providing utility services.

6-2 Curb and Gutter. The subdivider is not required to install any curbs and/or gutters in the proposed project. However, nothing in these regulations precludes the installation of said improvements if desired as long as said improvements do not adversely impact any street paving or drainage apparatuses functions or improvements.

6-3 Monuments/Pins. The subdivider shall provide, through the licensed surveyor, the setting of all reinforced concrete monuments and pins. The reinforced concrete monuments shall be four (4) inches in diameter or square, thirty (30) inches long with a flat top. The top of each monument shall be set flush with the ground. Said monuments shall be set within each block of the subdivision and shall be located along the longest interior straight away; a minimum of four (4) per block shall be installed as shown on the plat. Pins, a minimum of 15 inches long and 1/2 inch in diameter (metallic material type to be listed on plat) shall be placed along the exterior boundary and interior lot intersection except where concrete monuments are to be located, on each street corner, points of curvature in each street at all points where the street lines intersect the exterior boundary of the subdivision, and where such corners lie within a stream meander (in which case reference pins shall be placed on the bank of the stream). The pin shall be set a minimum of two inches under the ground. The top of the concrete monument shall contain a metal plate or metal rod which shall be scored in such a manner that will properly and accurately identify the location.

6-4 Water Supply and Sanitary Sewerage.

6-4.1 It is the intent of these regulations that the general public health of the county be safeguarded from the proliferation of septic tank systems and individual wells in higher density developments.

6-4.2 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 applicable city for public maintenance and operation prior to recording of the plat.

6-4.3 Where a public water supply and/or public sewage system is not accessible, and where topography, soil characteristics, drainage, groundwater or other physical conditions preclude safe on-site water supplies and/or sewage disposal systems, the developer shall furnish to the Georgia Department of Natural Resources, Environmental Protection Division, plans and specifications for a public water supply and/or public sewage disposal system for the subdivision.

6-5 Street Signs. The developer shall pay for all street signs required for his subdivision at a cost of (to be determined) per sign. These fees shall be paid to the county prior to release of the plat for recording. The County shall install all street signs for any subdivision in accordance with the County's sign specifications and at no cost to the County.

6-6 Paving and Drainage. Within the unincorporated area of Cook County, 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 unincorporated areas of Cook County.

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 per Appendix A. The County Engineer will determine the type of base material to be used on each and all subdivisions based on conditions and sound engineering judgement prior to beginning any grading work. These materials shall be applied according to established construction methods and shall be subject to inspection by and final review by the County Engineer prior to acceptance for public maintenance.

6-7 Utilities. The installation of utilities shall be as follows:

6-7.1 Communication Distribution Systems: All communication distribution systems installed solely for the purpose of extending communications service within a development and within the property limits of such development shall be placed as directed by the County Engineer.

6-7.2 Electric Power Distribution Systems: All electric distribution systems installed solely for the purpose of extending electric service to a development and within the property limits of such development shall be placed as directed by the appropriate utility company, or any local jurisdiction providing services.

6-7.3 Easements: Developers shall allocate necessary easements with future maintenance access.

6-7.4 Location of Underground Installations: The plans submitted to Cook County will set forth the anticipated location of all underground installations. Location approval or acknowledgement by the owners of the underground installations shall be submitted.

6-8 Buffer Strips. The subdivider shall provide adequate buffer strips which consist of plantings and/or visual blinds as detailed in this ordinance.

6-9 Installation of Improvements. No grading, paving, or construction of any required improvements shall be permitted until the final plat and improvements plan of the subdivision has been reviewed and received the approval of the Planning Commission and the acceptance of the Guarantee/Maintenance Bond by the Board of County Commissioners. The improvement plan must include a Soil Erosion and Sedimentation Control Plan and corresponding Land Disturbance Permit.

6-10 Completion of Minimum Improvements: In such cases where a developer might choose to post a performance bond in lieu of completion of minimum improvements, within one (1) year from recording of a phase or final plat, all minimum improvements required by these regulations shall be completed,

constructed and installed in the proposed development area. Should this not be accomplished within the prescribed time, the County Commission shall declare the bond forfeited and hire appropriate contractors to complete the required minimum improvements. Any county costs incurred in completing the project shall be charged against the performance bond.

6-11. Building Permit. No permit for construction of any building or any lot of a proposed subdivision shall be issued unless the plat of the proposed subdivision has been recorded in the Office of the Clerk of Superior Court of Cook County, Georgia and unless the Minimum Site Improvements as prescribed in this Ordinance have been made and such improvements have been inspected and approved by the County Engineer.

6-11.1 Building permits may be issued for a portion of a subdivision prior to the completion of the improvements in the entire subdivision only if a Performance Bond in the amount of one hundred twenty-five percent (125%) of the improvements as prescribed in paragraph 4-3.8.1 of this Ordinance is posted and accepted by the Board of County Commissioners.

APPENDIX A

Local Streets

1 1/2 " asphalt concrete "E", "F", or "H" mix.

Over: either

5" soil cement

or

6" graded aggregate and crushed limestone (compacted to modified density)

or

6 1/2 " lime rock

or

10" sand/clay base course Class B

Collectors and above

2" asphalt concrete "E", "F", or "H".

Over: either

6" soil cement

or

7" graded aggregate crushed limestone (compacted to modified density)

or

7 1/2" lime rock

or

12" sand/clay Class B

ARTICLE VII

**ACCEPTANCE AND GUARANTEE OF
COMPLETED MINIMUM IMPROVEMENTS**

7-1 Completion of Improvements. Before the plat is released for recording by the Cook County Administrator, all developers shall be required to complete, in accordance with this ordinance and to the satisfaction of the County Engineer and Road Superintendent, all minimum improvements as required by Section VI of this ordinance, specified on the final plat, and as reviewed and has received the concurrence of the Planning Commission, and to dedicate same to Cook County.

7-2 Acceptance. Upon written notification of completion of Minimum Improvements, the County Administrator shall within thirty (30) days after such notice 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 this ordinance and officially adopted County specifications.

7-3 Guarantee. The subdivider shall guarantee for one year after acceptance by Cook County all materials and workmanship in the form of a bond which shall be at thirty percent (30%) of the total improvement cost.

7-4 Recording of Plat. Upon acceptance of all improvements installed by the developer and posting of the required guarantee, the office of the County Administrator shall release the final plat for recording. Said plat shall be returned to the Zoning Administrator, who shall record said plat in a timely manner and distribute appropriate copies thereof in accordance with the directives of Section 4-3.12. When a subdivision is developed in phases, each phase shall be considered a separate final plat.

7-5 Release of Guarantee. Release of Guarantee shall be made by Board of County Commissioners one (1) year after the completion of all required improvements. At the end of the one (1) year, the County Administrator shall arrange for a maintenance/warranty inspection by the County Engineer with said inspection expenses be solely the responsibility of the subdivider. Any bonded maintenance of the minimum improvements shall be determined by the County Engineer, and said work shall be required of the developer or his contractor prior to release of any guaranteed funds by the Board of County Commissioners.

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 reviewed and recorded as provided in this ordinance, except those parcels recorded prior to the effective date of this ordinance.

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 reviewed by the Planning Commission, County Engineer and Road Superintendent, and the Cook County Health Department in accordance with the provisions of this ordinance.

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 ordinance shall constitute a separate offense.

8-2 Violation and Penalty. Any person who violates any provision of this subdivision ordinance shall, upon conviction in Magistrate's Court, be penalized by the imposition of a fine not exceeding \$500.00 per day and/or imprisonment in the County jail for a period not greater than sixty (60) days.

ARTICLE IX

LEGAL STATUS

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

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

9-3 Amendment. This ordinance may be amended from time to time by the Cook County Board of Commissioners, but no amendment shall become effective unless it has been proposed or shall have been submitted to the Planning Commission for its review and recommendation.

Before enacting an amendment to this Ordinance, the County shall hold a public hearing thereon, at least fifteen (15) but not more than forty-five (45) days notice of the time and place of which shall be published in the official legal organ of Cook County.

9-4 Variances. In cases of undue hardship under this ordinance, any property owner may petition the County Commission for a variance. All variance requests will require a public hearing in the same manner as an amendment. No application for a variance affecting the same land subdivision and the issue applied for variance shall be accepted for reconsideration less than twelve months after the issue has been considered and denied.

9-5 Effective Date. This ordinance shall take effect and be in force from and after the date of adoption.

ARTICLE X
SCHEDULE OF FEES

10-1 Plat Review Fee Schedule. All plats to be reviewed, including phases, shall adhere to a fee schedule as set from time to time by the Cook County Board of Commissioners.

10-2 Variance Requests. All variance requests shall be accompanied by an application fee and costs to cover all publication of required Public Notices and staff review costs as set from time to time by the Cook County Board of Commissioners.

July 7, 1997
Date of Adoption

S/ _____
Tim E. Giddens
Chairman
Cook County Commissioners

ATTEST:

S/ _____
Glynda Hemby
County Clerk
(SEAL)