

CITY OF SKY VALLEY
ORDINANCE NO. 05-16

**AN ORDINANCE ESTABLISHING SUBDIVISION REGULATIONS AND
CONSTRUCTION SPECIFICATIONS FOR THE CITY OF SKY VALLEY TO REPEAL
CONFLICTING PROVISIONS AND FOR OTHER PURPOSES**

Whereas, the City of Sky Valley deems it appropriate to create and establish revised subdivision regulations and construction standards; and,

Whereas, pursuant to notice as provided by law and ordinance the attached subdivision regulations and constructions specifications have been duly and publicly considered by the Sky Valley Planning and Zoning Commission; and,

Whereas, pursuant to notice a public hearing was held on the 17th day of October 2005 at a called meeting of the City of Sky Valley; and,

Whereas, there were no public comments at said public meeting; and,

Whereas, the recommendation of the Sky Valley Planning and Zoning Commission was to adopt the subdivision regulations and construction specifications.

The Council of the City of Sky Valley hereby ordains:

- I. The Code of Ordinances of the City of Sky Valley are hereby amended by adopting the subdivision regulations and construction specifications for Sky Valley attached as Exhibit "A".

Exhibit "A"

SUBDIVISION REGULATIONS
AND
CONSTRUCTION SPECIFICATIONS
FOR
THE CITY OF SKY VALLEY, GEORGIA

Approved and Adopted By:
Mayor and City Council of Sky Valley

SHORT TITLE, PURPOSE AND INTENT

Section 101. Short Title.

These regulations are known and may be cited as the "Subdivision Regulations of the City of Sky Valley."

Section 102. Purpose and Intent.

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

1. To protect and promote the health, safety and general welfare of the residents of the City;
2. To encourage economically sound and stable land development;
3. To assure the provision of required streets, utilities, and other facilities and services to new land developments in conformance with public improvement plans of the City;
4. To assure adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in new land developments, especially for the purposes of assuring that all building lots will be accessible to fire fighting equipment and other emergency and service vehicles;
5. To assure the provision of needed open spaces and

building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes;

6. To assure the adequate provision of water supply, storm water drainage, sanitation, lighting, and other necessary improvements;
7. To assure equitable handling of all subdivision plans by providing uniform procedures and standards for the subdivider;
8. To assure, in general, the wise development of new land areas in harmony with the comprehensive plan of the community;
9. To assure the accurate description of property and adequate and proper identification of property in public records;
10. To help conserve and protect the environmental, economic and scenic resources of the community;
11. To help eliminate the costly maintenance problems which develop when streets and lots are laid out without proper consideration given to various public purposes;
12. To protect lot purchasers who generally lack the specialized knowledge to evaluate subdivision improvements and design.

ARTICLE II
DEFINITIONS

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

Administrative Officer: The City Manager of the City of Sky Valley, or his authorized representative.

Alley: A private or public thoroughfare which affords only a secondary access to a building or abutting property and is not intended for general traffic circulation.

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

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

Building Setback Line: A line establishing the minimum allowable distance between the buildings, including any covered porches, and the street right-of-way or property line when measured perpendicularly thereto. In the case of corner lots or double

frontage lots, front yard requirements shall be observed for those areas adjacent to street right-of-ways.

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

City: The City of Sky Valley, Georgia.

City Attorney: The Attorney of the City of Sky Valley.

City Engineer: The Engineer of the City of Sky Valley.

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

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

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

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

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

excavation or drilling operations.

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

Governing Body: The Mayor and City Council of Sky Valley, Georgia.

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

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

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

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

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

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

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

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

Plat, Final: A finished drawing of a subdivision showing completely and accurately all legal and engineering information and certification necessary for recording.

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

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

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

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

Street, Collector: Unless otherwise specified by the

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

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

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

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

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

ARTICLE III
GENERAL PROVISIONS

Section 301. Authority and Delegation.

These Regulations are adopted under the authority conferred by the 1983 Georgia State Constitution, Article IX, Section II, Paragraph IV. The Mayor and City Council hereby delegates to the Administrative Officer the authority to approve preliminary plats, and final plats; provided, however, such delegation does not authorize the Administrative Officer to accept public improvements for the Governing Body.

Section 302. Jurisdiction.

These Regulations shall apply to all lands within the corporate limits of the City of Sky Valley, Georgia as exist at the time these Regulations are adopted, and all lands subsequently annexed into said corporate limits. Provisions regarding water and sanitary sewer improvements and construction specifications shall also apply to all subdivisions located within the City of Sky Valley public water and sanitary sewer service area, as defined by local law.

Section 303. Applicability of Regulations.

It shall hereafter be unlawful for any person, firm, corporation, owner, agent or subdivider, by deed or map, to sell, transfer, agree to sell, offer at public auction, negotiate to sell or subdivide any land until a preliminary

coordination with the Comprehensive Plan of the City, and to inform and provide the subdivider with the necessary regulations in order to properly accomplish the proposed project. No fee shall be charged for the pre-application review, and no formal application shall be required.

Section 402. Application For Preliminary Plat Approval.

Following the pre-application review of a subdivision involving the grading of land and/or the installation of roads, streets, utilities and/or other improvements, the subdivider shall submit to the Administrative Officer the following:

- 402.1. An application form furnished by the Administrative Officer;
- 402.2. Five (5) copies of the preliminary plat, with appropriate information required by these Regulations, provided however, that the Administrative Officer may require more or less copies depending upon the nature and extent of review;
- 402.3. An application fee, as established by the Governing Body from time to time.

Section 403. Preliminary Plat Specifications.

The preliminary plat shall be drawn at a suitable scale (one inch equals 100 feet, unless another scale is approved) on a sheet size not exceeding 24 inches by 36 inches. If the complete plat cannot be shown on one sheet at this size and scale, it may be shown on more than one sheet with an index

map on a separate sheet of the same size.

The preliminary plat shall include the following information; provided, however, that the Administrative Officer may waive individual information requirements established in this section where, in his opinion, said information is not essential to the review process:

1. Ground elevations at contour intervals of not less than five (5) feet, based on sea level datum and a tie to one or more bench marks (if available within 1,000 feet);
2. Coversheet, name, address and telephone number of owner of record and of subdivider;
3. Proposed name of subdivision, its acreage, and location by land lot and district;
4. North arrow, graphic scale and date;
5. Vicinity map showing location of subdivision;
6. Exact boundary lines of the tract by bearings and distances, as certified by a Georgia Registered Land Surveyor on the plat or by reference to a certified boundary survey, including all adjacent land owned by the subdivider;
7. Names of owners of record of adjoining land;
8. Existing streets, utilities and easements on or adjacent to the tract;
9. Other physical features of the land such as streams and wetlands and direction of flow, lakes, flood plains, bodies of water, and existing buildings;

10. Proposed layout including streets, alleys, street names, right-of-way widths, lot lines with approximate dimensions and acreage, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than single family dwellings;
11. All lots shall be numbered sequentially, regardless of number of phases or sections.
12. Provisions for water supply, sewage disposal, storm drainage, and drainage easements;
13. Location and results of percolation tests or soils information for lots which will not be served by a public or community sanitary sewage system, as required by the Health Department.
14. Existing and proposed covenants and restrictions.
15. Name, address and phone number of person to contact.

Section 404. Transmittal of Preliminary Plat to Review Agencies.

At his discretion, the Administrative Officer may transmit for review and comment a copy of the plat to applicable internal and external review agencies, such as but not limited to: the City Engineer, the City Attorney, the City Fire Chief, the City Building Inspector, the County Health Department, and State Department of Natural Resources. All plan review cost and/or fees shall be the responsibility of the developer, owner, and/or the builder.

Section 405. Action on the Preliminary Plat.

Within thirty (30) working days of receipt of the completed application for preliminary plat, the Administrative Officer shall either approve the plat as submitted and notify the applicant in writing thereof, or disapprove the plat along with reasons for said disapproval made in writing to the applicant. Approval of the preliminary plat shall not constitute approval of the final plat; rather, it shall be approval of the layout submitted on the preliminary plat to be used as a guide for the preparation of the final plat. Preliminary plat approval shall continue in effect for a period of one (1) year.

Section 406. Waiver of Preliminary Plat Approval.

Where a proposed subdivision does not involve the grading of land prior to sale or the installation of streets and/or utilities, or which does not require storm drainage facilities or other such improvements, the Administrative Officer may waive the requirement of a preliminary plat.

Section 407. Submittal of Plans For Utilities and Streets.

Along with or upon approval of the preliminary plat, five (5) copies of plans and specifications for the improvements required under the provisions of these Regulations shall be submitted to the Administrative Officer. Said plans shall consist of the following:

- 407.1. Utility plans providing information regarding the location, size, length and type of all water, sanitary sewer, storm drainage, and

all necessary easements and improvements showing their minor structures, appendages and connections with existing systems, and the approximate location of service lines from the lots to the proposed utility lines.

407.2. Street plans providing information as follows: street profiles and cross section as required by the City Engineer, type of sub-base, type of paving base, type curb and gutter; type street paving, and type improvements within the street right-of-way outside of the paved area.

407.3. A grading plan and soil sedimentation and erosion control plan.

407.4. In addition to utility, street, grading and erosion control plans, the Administrative Officer and/or City Engineer may require a hydrological study or other engineering studies as may be necessary, depending upon the scope and extent of the development project.

Section 408. Review and Approval of Plans.

Upon receipt of the completed engineering plans by the Administrative Officer, he shall stamp them with the date of receipt and forward all five (5) copies to the City Engineer, who shall have thirty (30) working days to review and approve or disapprove the plans. If approved, the City Engineer

shall provide his signature on said approved plans indicating said approval, retain one copy of said plans for his records, and return four (4) copies to the Administrative Officer. The Administrative Officer shall maintain two (2) copies of the approved engineering plans for his records and return the remaining copy of approved plans to the applicant.

Section 409. Issuance of Grading Permit.

Upon approval and receipt of the approved engineering plans and tree cutting permit, the Administrative Officer shall issue a grading permit in accordance with established procedures. Issuance of a grading permit shall constitute authorization to begin land-disturbing activities and the construction of improvements. A prerequisite to the issuance of a grading permit shall be completion and signature of an indemnification agreement as indicated in the attached exhibits. (See Exhibit 2.)

Section 410. Application For Final Plat Approval.

Upon completion of required improvements, the subdivider may then submit an application for final plat approval, which shall consist of the following:

- 410.1. An application form furnished by the Administrative Officer;
- 410.2. Five (5) copies of the final plat, with appropriate information required by these Regulations and one time-stable reproducible film copy (mylar) or original of the plat;

- 410.3. An application fee, as established by the Governing Body from time to time;
- 410.4. A letter from the City Engineer that all required improvements have been constructed and meet the specifications of the City;
- 410.5. A letter from the applicable electricity service company may be required indicating that service points for individual lots have been installed;
- 410.6. A performance bond for those required improvements not yet completed (e.g., all utilities and pavement topping), if such delay in completion of required improvements is permitted by the Administrative Officer. Said performance bond shall be: 1) conditioned upon the faithful performance by the subdivider or developer of all work required within a specified time; 2) payable to, and for the indemnification of, the City; 3) in an amount equal to the cost of construction of the required improvements not yet completed, plus an additional ten (10) percent of said costs, as calculated by the City Engineer; 4) with surety by a company entered and licensed to do business in the State of Georgia; and 5) approved as to form and content by the City Attorney.

410.7. A maintenance bond, cash deposit, escrow account or other guarantee/instrument of financial security as approved by the City Attorney to ensure maintenance of required improvements in the subdivision for a period of one (1) year, payable to the City and in the amount of ten (10) percent of the City Engineer's estimate of actual construction cost.

If, upon being notified of failure of required improvements, the subdivider does not correct the deficiency or commence work within ten (10) days of notice, it shall be deemed to be a failure on the bond, and the City shall have the right to make the necessary repairs, either by public work or by private contract, and the bond or instrument of financial security shall be liable for the full amount of the cost of said repairs, as determined by the City Engineer.

410.8. "As-built" drawings acceptable to the City Engineer of: 1) all streets showing the planned and actual location of all utility lines; 2) centerline profile of all streets with final grades; and 3) horizontal and vertical alignment including profiles and

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

Section 411. Final Plat Specifications.

The final plat shall be drawn in permanent ink at a suitable scale (one inch equals 100 feet, unless another scale is approved) on a sheet size of 17 inches by 22 inches. If the complete plat cannot be shown on one sheet at this size and scale, it may be shown on more than one sheet with an index map on a separate sheet of the same size.

The final plat shall include the following information:

1. Name of the subdivision and street names;
2. Name, address and phone number of owner(s) or record;
3. Name, address and phone number of subdivider;
4. Date of 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. Location of tract (land district and land lot), location sketch and acreage, and recorded easements;
6. Courses and distances to the nearest existing street intersections or bench marks or other recognized permanent monuments;
7. Exact boundary lines of the tract, to be indicated by a heavy line, giving distances to the nearest one-hundredth ($1/100$) foot and bearings to the nearest second, determined by an accurate field survey;
8. Street centerlines and property lines showing angles of deflection and standard curve data of intersection, radii, length of tangents and arcs, and degree of curvature with basis of curve data.
9. Municipal, county and land lot lines accurately tied to the lines of the subdivision by distance and angles when such lines traverse or immediately adjoin the subdivision.
10. Exact locations, right-of-way and pavement widths, and names of all streets and alleys within and immediately adjoining the subdivision.
11. Lot lines with dimensions to the nearest one-hundredth ($1/100$) foot, necessary internal angles, arcs, and chords and tangent or radii of rounded corners.

12. The acreage or square footage of the area of each lot, and the total number of lots in the subdivision, with assigned numbers.
13. Front yard/building setback lines with dimensions.
14. Lots numbered in numerical order, regardless of the number of phases or sections.
15. Accurate location, material and description of monuments and markers.
16. Location, dimensions and purposes of easements and areas to be reserved or dedicated for public use.
17. A statement, either directly on the plat or in an identified attached document of private covenants, if any.
18. Areas within the Intermediate Regional Flood (IRF) (i.e. one-hundred year flood) shall be determined by a professional engineer and shall be shown on the plat, including location and elevation of the Intermediate Regional Flood and any wetlands delineation.
19. Names of record of owners of adjoining un-platted land, and the name of subdivisions and blocks and lot numbers for adjoining platted land.
20. The following certifications, as provided in the exhibits included in these Regulations:
 - a) Final Surveyor's Certificate.
 - b) Owner's certificate of ownership and dedication to public use streets, alleys,

easements and other public areas, signed by the owner.

- c) Certification by the Rabun County Health Department that the plat and proposed water and sewage facilities are acceptable.
- d) The Administrative Officer and City Engineer's approval of the final plat, signed by said officials.
- e) Certificate of Recording.

21. A statement that final plat approval does not constitute acceptance of public streets, easements and areas.

Section 412. Action on the Final Plat.

Upon receipt of the completed final plat application materials, the Administrative Officer may transmit for review and comment a copy of the plat to applicable review agencies. He shall have thirty (30) days to approve or disapprove of the plat. If said plat is substantially in conformance with the preliminary plat and is approved, the signatures of the Administrative Officer and City Engineer shall be placed on the reproducible film copy or original of the plat.

Section 413. Combinations and Replats.

Where separate lots of land are proposed to be combined or replatted, they shall be submitted to the Administrative Officer as a final plat for review, approval and recording. Said plat shall contain all information and certificates as specified in Section 411; provided however, the

Administrative Officer may waive certain of these specific information requirements if determined not to be essential. Such combinations and/or replats shall indicate in writing on the plat in a conspicuous place, numbered and dated consecutively, of all revisions to the plat. Said plat shall require a fee as a final plat.

Section 414. Recording of Final Plats.

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

Section 415. Assignment of Street Addresses.

Upon recording of a final plat, the Rabun County 911 mapping office shall assign each lot a street address and shall note each address in permanent ink on the time-stable, reproducible film copy or original.

Section 416. Distribution of Recorded Final Plat.

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

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

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

Section 417. Acceptance of Public Streets and Improvements.

At any date after one year has passed since the date of final plat approval, the subdivider may petition the Governing Body in writing to accept public streets and other improvements, in whole or in part, within the subdivision. Said improvements shall not be accepted for maintenance until approved by the Governing Body. Any instrument of financial guarantee shall be returned to the subdivider upon acceptance of public streets and improvements by the Governing Body.

ARTICLE V

GENERAL DESIGN AND OTHER REQUIREMENTS

Section 501. Suitability of Land.

Land subject to flooding, improper drainage or erosion, or that is for topographical or other reasons unsuitable for residential use, shall not be platted for residential use nor any other use that will continue or increase the danger to health, safety, or proper construction, unless hazards can be and are corrected.

Section 502. Name of Subdivision.

The name of the subdivision must have the approval of the Administrative Officer. The name shall not duplicate nor closely approximate the name of an existing subdivision in the City or County.

Section 503. Access.

Access to every subdivision shall be provided over a public street.

Section 504. Conformance to Adopted Major Thoroughfare and Other Plans.

All streets and other features of the adopted Major Thoroughfare Plan of the City of Sky Valley, Georgia shall be platted by the subdivider in the location and to the dimension indicated on the Major Thoroughfare Plan adopted by the Mayor and Council of the City of Sky Valley. In subdivisions related to or affecting any State or Federally numbered highway, the approval of the Georgia State Highway

Department may be required by the Administrative Officer.

When features of other plans adopted by the City of Sky Valley (such as public building sites, parks, wetlands, or other land for public uses) are located in whole or in part in a land subdivision, such features shall either be dedicated or reserved by the subdivider for acquisition within a six month period from the date of preliminary plat submittal by the appropriate public agency.

Section 505. Large Scale Developments.

The requirements of these Regulations may be modified in the case of a large scale community or neighborhood unit, such as a housing project or shopping center, which is not subdivided into customary lots, blocks and streets, if the development is recommended by the Planning Commission and approved by the Governing Body, and if it is in conformity with the purpose and intent of these Regulations.

Section 506. Continuation of Existing Streets.

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

Section 507. Street Names.

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

Section 508. Street Jogs.

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

Section 509. Development Along Arterial Street or Limited Access Highway.

Where a subdivision abuts or contains an arterial street or a limited access highway, the Administrative Officer may require a street approximately parallel to and on each side of such right-of-way either as a marginal access street or, at a distance suitable for an appropriate use of the intervening land, with a non-access reservation suitably planted. Lots shall have no access to major streets (or limited access highways) but only to access streets.

Section 510. Alleys.

Alleys may be required at the rear of all lots used for multi-family, commercial or industrial developments, but shall not be provided in one or two-family residential developments unless the subdivider provides evidence satisfactory to the Administrative Officer of the need for alleys.

Section 511. Reserve Strips.

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

Section 512. Easements.

Easements having a minimum width of 15 feet shall be provided, where required for utility lines, storm drains, and underground mains and cables.

When a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm-water or drainage easement of adequate width (minimum 20 feet) approved by the City Engineer. Parallel streets may be required by the Administrative Officer in connection therewith.

Section 513. Cul-de-Sacs.

Except where topographic or other conditions make a greater length unavoidable, cul-de-sacs or dead-end streets shall not be greater in length than 1000 feet unless approved by the Administrative Officer and shall be provided at the closed end with a turn-around, approved by the City Engineer.

Where a subdivision contains a dead-end street other than a cul-de-sac, the Administrative Officer may require the subdivider to provide a temporary vehicular turn-around within the right-of-way, when the Administrative Officer considers such to be necessary for effective traffic circulation.

Section 514. Street Right-of-Way Widths.

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

1. Arterial street widths, 80 feet or as shown in the Major Thoroughfare Plan.
2. Collector street, 50 feet.
3. Minor street and dead-end street, 50 feet.
4. Alleys, 20 feet.
5. Cul-de-sacs, commercial and industrial subdivisions, 60 feet (radius).
6. Cul-de-sacs, local residential streets, 50 feet (radius).

Section 515. Street Pavement Widths.

Street pavement widths shall be as follows measured from edge to edge of pavement:

1. Arterial street widths, at the minimum GDOT standard, or as shown in the Major Thoroughfare Plan.
2. Collector streets, 18 feet minimum.
3. Minor streets and dead-end streets, 18 feet minimum.
4. Minor streets, commercial and industrial subdivisions, 18 feet minimum.
5. Alleys, 16 feet.
6. Cul-de-sacs, commercial and industrial subdivisions, 50 feet radius.
7. Cul-de-sacs, local residential streets, 40 feet radius.

Section 516. Street Grades.

Maximum and minimum street grades shall be as follows:

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

Section 517. Street Intersections.

Street intersections shall be as nearly at right angles as possible. No street intersections shall be at an angle of less than 75 degrees, unless required by unusual circumstances.

Section 518. Drainage Ditch Radius.

The drainage ditch radius at street intersections shall be at least 25 feet. Where the angle of street intersection is less than 90 degrees, a longer radius may be required. For commercial and industrial subdivision streets, a minimum 40 foot drainage ditch radius shall be provided.

Section 519. Block Lengths and Widths.

Block lengths and widths shall be as follows:

1. In general, residential blocks shall be not greater than 1,800 feet nor less than 600 feet in length.
2. Blocks shall be wide enough to provide two tiers of lots of minimum depth, except where abutting upon major arterial streets, or limited-access highways, or where other situations make this requirements

impracticable.

Section 520. Lot Sizes.

Residential lots shall meet the lot width and lot area requirements of the Zoning Ordinance and the Mountain Protection Ordinance of the City of Sky Valley.

Residential lots shall have a depth of not less than 100 feet and not greater than 3 times the width of the lot at the building line, unless unusual circumstances make these limitations not practicable.

Where individual septic tanks are used, the Rabun County Health Department shall approve minimum lot sizes to conform to health standards of the Georgia Department of Public Health.

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

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

Section 521. Lot Lines.

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

Section 522. Building Lines.

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

Section 523. Lot Frontage.

Each lot shall abut a minimum of fifty (50) feet upon a dedicated public street.

Section 524. Double and Reverse Frontage Lots.

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

Section 525. Panhandle or Flag Lots.

"Panhandle" or "Flag" lots, of required width and area may be allowed where terrain makes standard design or frontage impossible or impractical. Where such lots are allowed, the street frontage of each panhandle access shall not be less than thirty (30) feet wide, and the panhandle access shall be not more than two hundred (200) feet long. Not more than two (2) such panhandle access points shall abut each other, and if so combined the width of each panhandle may be reduced to not less than fifteen (15) feet. All such access points or combinations thereof shall be separated from each other by the frontage of a standard lot required under the other provisions of these Regulations and Standards.

Section 526. Corner Lots.

A lot or parcel of land abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle or less than 135 degrees.

ARTICLE VI

REQUIRED IMPROVEMENTS AND CONSTRUCTION SPECIFICATIONS

Every subdivider, except in those cases where in the Administrative Officer's opinion the subdivision is of a small enough size (less than five lots) and which does not require installation of streets, utilities, and/or drainage facilities, shall be required to have installed the following subdivision improvements before lots are permitted to be sold.

Section 601. Right-of-Way Clearance.

All trees, brush, stumps, rocks, or other debris shall be cleared from the street right-of-way as may be required by the City.

Section 602. Grading of Streets.

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

Section 603. Street Paving and Base.

Base and sub-base shall be installed in compliance with specifications of the City Engineer and GDOT minimum specifications. Residential streets shall consist of Type 1 Paving (Mix 200 lbs./sq. yd. crusher run into top 8 inches of

sub-base as required; place and compact 6 inches crusher run base; place 1.5 inches plant mix binder, place 1.5 inch plant mix topping, Type "12.5 Super Pave"), and 18 feet minimum width, pursuant to GDOT minimum standards.

Final top court to be applied after development is approximately 50% complete.

For commercial and industrial street paving base, use 8 inches crusher run base, prime and place 2 inches of plant mix asphaltic binder and surface with 1 inch of compact hot plant mix topping, Type "19.5 Super Pave". Compaction data will be required on sub-base, base, and topping.

Section 604. Drainage Ditch.

Drainage ditch shall be installed along both sides of all paving; provided however, that subdivisions involving residential lots with a minimum size of three (3) acres, and a minimum lot frontage of 200 feet, shall not require drainage ditch, so long as appropriate right-of-way and drainage improvements are provided as approved by the City Engineer. Commercial and industrial subdivisions shall require curb and gutter regardless of proposed lot sizes and/or lot widths. All drainage ditches shall conform to City specifications.

Section 605. Street Signs.

Street signs shall be furnished and installed at all street intersections on the rights-of-way by the developer and shall be of the same material as is currently used by the City. Exact locations shall be approved by the City Engineer

prior to installation.

Section 606. Street Right-of-Way Improvements.

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

Section 607. Street Trees.

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

Section 608. Storm Drainage System.

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

1. Every subdivision shall be served by storm drainage facilities, including drains, sewers, catch basins, culverts and other facilities as required by standards and specifications of the City Engineer.
2. All drainage facilities shall be so designed to serve the entire drainage area in which these facilities are located. All street drains serving lots in the subdivision shall be installed by the subdivider. A formula may be developed by the City Engineer to provide for a sharing of the cost of other drainage facilities needed to serve the subdivision when certain of the required drainage

- a. In cases where the developer or owner chooses not to develop the land through which the drain runs, then the trench may be left open, however, in such cases the plat must be so marked and an easement shown thereon, indicating that no building or driveway shall be built over or within forty (40) feet of the open drain.
- b. Where the developer chooses to leave the drain open and same is crossed by a driveway, the size of pipe shall be determined by the City Engineer and no building permit will be approved unless the installation meets the requirements of the City Engineer.
- c. Notwithstanding the above controls, the Administrative Officer may refuse to issue a building permit on any lot or lots where the land is subject to floods or wetlands, or where, in the opinion of the City Engineer, the topographic features of the property are such that a building could not be properly maintained on the lot.

Section 609. Water System.

All water mains shall be installed along with a service connection for each lot and be in operating condition prior to final plat approval and paving installation. This system shall be connected to the City water system. All pipe,

valves, hydrants, and other components shall conform to City and Georgia EPD minimum standards for public water systems. Fire hydrants shall be located and set in accordance with City specifications.

All water line extensions and new service provided for privately owned development interest shall be installed and paid for by the developer.

The developer shall submit to the City of Sky Valley five sets of plans and specifications of the proposed water line extensions for approval by the City. The submittals thus made shall be reviewed by the City's Engineer to determine if the materials and methods of construction are in keeping with good construction standards of practice. The City's Engineer shall provide the Developer with a list of changes that need to be made in order to obtain the City's approval. When such changes have been incorporated into the Developer's plans and specifications, the plans will be approved by the City.

All plans and specifications for substantial extensions or alterations to the water system shall be submitted to the Georgia Environmental Protection Division for approval.

Prior to the City accepting ownership and operating and maintenance responsibility for the proposed new water line extensions, the private developer shall:

1. Certify that the water lines have been installed in accordance with the approved plans and specifications.
2. Provide all necessary water line maintenance easements to the City.
3. Deed the water lines over to the City by Standard Warranty Deed.

New Service for City Customers. The City may, in its sole discretion, extend, expand or improve the City water system or serve any new customers at the City's sole expense.

Section 610. Sanitary Sewerage System.

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

When in the written opinion of the City Engineer, a public sanitary sewer is not accessible, an alternate method of sewage disposal for each lot may be used when in compliance with the standards of the Rabun County Health Department. If public sewerage is not available, but is

expected to be available within a reasonable time period after completion of the subdivision, an alternate method for sewage disposal for individual lots will be required on an interim basis. In this instance, and at the discretion of the Mayor and the Sky Valley City Council, the developer will be required to construct a complete sanitary sewer system for the subdivision, including outfall lines, street sewers, and service stubs to individual lots. All sewers will be plugged and otherwise protected to insure serviceability at the time of connection to the public system, and will conform to the specifications of the City of Sky Valley.

Section 611. Monuments and Iron Pipes.

Permanent monuments shall be accurately set and established at the following points:

1. Where plat boundary lines intersect with land lot lines.
2. Monuments shall consist of half-inch diameter metal pin or pipe, a minimum of eighteen (18) inches in length.
3. The accurate location, material, and size of all existing monuments shall be shown, on the final plat, as well as the future location of monuments to be placed after street improvements have been completed.

Monuments shall be placed at all corners of each lot and driven so as to be set two (2) inches above the finished grade.

Section 612. Compliance and Completion of Improvements.

The subdivider shall upon completion of the required improvements outlined in this Article request in writing that the City Engineer report by letter that all improvements required by this Article have been completed according to City specifications. The City Engineer shall write a letter of compliance addressed to the subdivider with a copy to the Administrative Officer stating the subdivision complies with the provisions of this Article.

The City Engineer shall inspect all underground installations, sub-grades, bases or courses of asphalt, and such improvements shall not be covered or hidden before they are inspected and accepted by the City Engineer or his agent.

Section 613. Additional Construction Specifications.

For those improvements where construction specifications have not been set forth in these Regulations, the City Engineer shall determine such specifications, and construction of improvements shall be as required by the City Engineer. Rabun County "Standards For Construction and Design" in general, shall be required as a minimum.

ARTICLE VII

ADMINISTRATIVE AND LEGAL STATUS PROVISIONS

Section 701. Administration and Interpretation.

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

Section 702. Violation and Penalty.

Any person, firm, or corporation violating any of the provisions of these Regulations shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to fines, imprisonment, and other penalties as authorized by the Code of Ordinances of the City of Sky Valley, as determined by the Court of proper jurisdiction.

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

Section 703. Amendment.

These Regulations may be amended. Before enacting such amendment, the Sky Valley City Council shall hold a public hearing thereon, notice of which shall be published at least fifteen (15) days prior to such hearing in a newspaper of general circulation in the City.

Section 704. Severability.

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

Section 705. Repeal of Previous Ordinances.

All previous Regulations and Standards adopted for the same purpose are hereby repealed.

Section 706. Effective Date.

These regulations shall become effective upon adoption by the City Council and approval by the Mayor as provided by the Charter of the City of Sky Valley.

It is so ordained and approved by vote of the City Council of the City of Sky Valley this 17th day of October, 2005.

Approved:



Steve Brett, Mayor



Carolyn Burgess, Council President



David Carr, Councilor



W. Delano Moore, Councilor



Dee Rave, Councilor



Ray Becker, Councilor

Attest:



Linda Wells, City Clerk

Read and introduced on the 17th day of October,
2005.

Adopted on the 17th day of October, 2005.

05-17

**A RESOLUTION ENTITLED
A RESOLUTION AUTHORIZING THE TRANSMITTAL OF THE
JOINT COMPREHENSIVE PLAN FOR THE RABUN COUNTY AND ITS CITIES
TO THE GEORGIA MOUNTAINS REGIONAL
DEVELOPMENT CENTER FOR REVIEW, COMMENT AND
RECOMMENDATION AND CERTIFYING THAT MINIMUM LOCAL
PLAN PUBLIC PARTICIPATION REQUIREMENTS HAVE BEEN MET**

WHEREAS; Pursuant to the “Rules of the Georgia Department of Community Affairs, Chapter 110-3-2, a public hearing was conducted on April 22, 2004, at 6:00 p.m., prior to the development of the Joint Comprehensive Plan for Rabun County and its Cities, the purpose of which was to inform the public on the purpose of the plan, the process to be followed in the preparation of the plan, and to solicit community input on community needs and issues; and

WHEREAS; Prior to the April 22, 2004 public hearing, Rabun County followed the public notification procedure normally employed by the county in announcing and conducting public hearings by advertising the date, time, place and purpose of the public hearing in the county’s legal organ, The Clayton Tribune, a newspaper of general circulation within the county, prior to the public hearing; and

WHEREAS; The Rabun County Commissioner appointed a Planning Advisory Board to provide policy direction and to facilitate public input to the planning process, in which the City of Sky Valley was represented, and the Board held a series of meetings between May, 2004 and August, 2005, and;

WHEREAS; The Rabun County Commission and its Cities held a public hearing on August 11 and August 18, 2005, to brief the community on the contents of the plan, provide an opportunity for residents to make suggestions, additions or revisions, and notify the community of the expected date the plan will be submitted to the Georgia Mountains Regional Development Center, notice of such hearing being advertised in The Clayton Tribune, a newspaper of general circulation in the county in accordance with the county’s public notification procedures;

Now therefore, **BE IT RESOLVED**, and **IT IS HEREBY RESOLVED** by the Sky Valley City Council as follows:

Section 1. The City Council hereby authorizes the transmittal of the Joint Comprehensive Plan for Rabun County and its Cities for review, comment, and recommendation to the Georgia Mountains Regional Development Center and Georgia Department of Community Affairs, and requests its favorable consideration.

Section 2. The City Council hereby certifies that the process utilized in developing the Joint Comprehensive Plan meets the minimum public participation requirements for local plans in the State of Georgia.

Adopted, the 14th day of November, 2005.

Steve Brett

Steve Brett, Mayor

ATTEST:

Junola Welles

Clerk

Ordinance 05- 18

**AN ORDINANCE DECLARING THE RESULTS OF THE
GENERAL MUNICIPAL ELECTIONS OF THE
CITY OF SKY VALLEY, GEORGIA ON NOVEMBER 8, 2005**

THE COUNCIL OF THE CITY OF SKY VALLEY HEREBY ORDAINS:

WHEREAS, pursuant to the City Charter of the City of Sky Valley, GA., a general election was held on the 8th day of November, 2005, by duly appointed and qualified officials, and

WHEREAS, the Election Superintendent designated for said elections has brought in the returns of said elections and has certified that the results of said elections were as follows:

GENERAL ELECTION:

Mayor (unopposed)

Steve Brett 103

Council Post 3

Robert "Bob" MacNair 68
Dee Raye 72

Council Post 4

Carolyn Burgess 89
Gene J. King 51

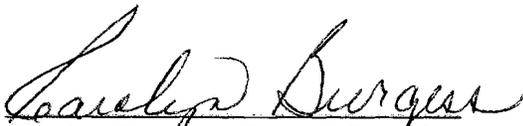
Council Post 5 (unopposed)

Ray Becker 115

This 14th day of November, 2005.

Approved:


Steve Brett, Mayor


Carolyn Burgess, Council President

Attest:

Linda Wells
Linda Wells, City Clerk

Ray Becker
Ray Becker, Councilor

David Carr
David Carr, Councilor

W. Delano Moore
W. Delano Moore, Councilor

Dee Raye
Dee Raye, Councilor