

**WARREN COUNTY, GEORGIA**  
**SUBDIVISION AND**  
**LAND DEVELOPMENT ORDINANCE**

**Adopted by the Board of Commissioners January  
10, 2006**

**Amended September 12, 2006**

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**TABLE OF CONTENTS**  
**WARREN COUNTY SUBDIVISION AND**  
**LAND DEVELOPMENT ORDINANCE**

<b>ARTICLE I</b>	<b>TITLE, PURPOSE, AND AUTHORITY</b>	<b>1</b>
Sec. 101.	Short Title.	1
Sec. 102.	Purpose and Intent.	1
Sec. 103.	Authority.	1
<b>ARTICLE II</b>	<b>REFERENCE TO OTHER REGULATIONS</b>	<b>2</b>
Sec. 201.	Soil Erosion and Sedimentation Control.	2
Sec. 202.	Reference to Environmental Regulations.	2
Sec. 203.	Reference to On-Site Sewage Management System Regulations.	2
Sec. 204.	Special Review of Subdivisions along State Routes.	2
<b>ARTICLE III</b>	<b>DEFINITIONS</b>	<b>3</b>

**Table of Contents**  
**Warren County Subdivision and Land Development Ordinance**

---

Sec. 301.	Generally.	3
Sec. 302.	Definitions.	3

**ARTICLE IV GENERAL PROVISIONS 12**

Sec. 401.	Delegation of Authority to Administrative Officer.	12
Sec. 402.	Planning Commission Authority.	12
Sec. 403.	Jurisdiction.	12
Sec. 404.	Land is One Tract Until Subdivided.	12
Sec. 405.	Subdivision of Land.	13
Sec. 406.	Development of Land.	13
Sec. 407.	Building and Other Permits.	13
Sec. 408.	Public Roads and Lands.	13
Sec. 409.	Preliminary Plat, Development Plans and Development Permit Required.	13
Sec. 410.	Recording of Subdivision Plats.	14
Sec. 411.	Exemptions from Plat Approval.	14
Sec. 412.	Exemption from Development Permit.	14
Sec. 413.	Burial of Materials.	14
Sec. 414.	Mortgage Lots.	15

**ARTICLE V PROCEDURES AND REQUIREMENTS FOR PLAT AND PLAN APPROVAL 16**

Sec. 501.	Pre-Application Conference.	16
Sec. 502.	Application for Preliminary Plat Approval.	16
Sec. 503.	Plat and Plan Specifications.	17
Sec. 504.	Transmittal of Preliminary Plat to Review Agencies.	20
Sec. 505.	Review by the Planning Commission.	20
Sec. 506.	Duration of Preliminary Plat Approval.	20
Sec. 507.	Amendments to Preliminary Plat Approval.	21
Sec. 508.	Submittal of Development Plans.	21
Sec. 509.	Indemnity.	21
Sec. 510.	Review and Approval of Development Plans.	22
Sec. 511.	Issuance of Development Permit.	22
Sec. 512.	Responsibilities after Issuance of Development Permit.	22

**Table of Contents**  
**Warren County Subdivision and Land Development Ordinance**

---

Sec. 513.	Development of Regional Impact.	23
Sec. 514.	Application for Final Plat Approval.	24
Sec. 515.	Final Plat Specifications and Certificates.	25
Sec. 516.	Action on the Final Plat.	26
Sec. 517.	Recording of Final Plats.	27
Sec. 518.	Subdivision Improvement Guarantees.	27
Sec. 519.	Dedications of Public Roads and Acceptance of Improvements.	27
Sec. 520.	Minor Subdivisions.	27
Sec. 521.	Limitations on Minor Subdivisions.	28
Sec. 522.	Lot Combinations and Boundary Line Adjustments.	29
Sec. 523.	Distribution of Recorded Final Plat.	29

**ARTICLE VI ACCESS AND DESIGN REQUIREMENTS FOR ROADS 31**

Sec. 601.	Road Frontage and Access.	31
Sec. 602.	Conformance to Adopted Major Thoroughfare and Other Plans.	33
Sec. 603.	Continuation of Existing Roads.	33
Sec. 604.	Tract Plan for Future Roads and Phases.	33
Sec. 605.	Road Names.	34
Sec. 606.	Road Alignment, Intersections, and Jogs.	34
Sec. 607.	Development along State Highway.	34
Sec. 608.	Bridges.	35
Sec. 609.	Deceleration Lanes.	35
Sec. 610.	Road and Traffic Control Signs.	35
Sec. 611.	Reference to Other Improvement Specifications.	35
Sec. 612.	Alleys.	35
Sec. 613.	Road Right-of-Way Widths and Miters.	35
Sec. 614.	Sight Visibility Triangle.	36
Sec. 615.	County Road Pavement Width.	36
Sec. 616.	Asphalt Road Base and Paving Specifications.	37

**Table of Contents**  
**Warren County Subdivision and Land Development Ordinance**

---

Sec. 617.	Triple-Surface Treatment Road Paving Specifications.	37
Sec. 618.	Road Striping.	37
Sec. 619.	Road Drainage.	38
Sec. 620.	Road Banks.	38
Sec. 621.	Road Grade and Vertical Curves.	38
Sec. 622.	Cul-de-sac Streets and Turnarounds.	38
Sec. 623.	Curb Radii.	38
Sec. 624.	Curb and Gutter.	38
Sec. 625.	Sidewalks and Paths.	39
Sec. 626.	Street Lights.	39
Sec. 627.	Residential Driveways.	40
Sec. 628.	Non-Residential Driveways.	40
Sec. 629.	Construction Entrance/Exit.	40
Sec. 630.	911 Addresses.	40

**ARTICLE VII PRIVATE ROADS 41**

Sec. 701.	When Permitted ( <i>Amended September 12, 2006</i> )	41
Sec. 702.	Special Improvement Requirements.	41
Sec. 703.	Engineering Plans Required.	42
Sec. 704.	Standards for Private Roads.	42
Sec. 705.	Road Names and Signs.	42
Sec. 706.	Rights-of-ways.	42
Sec. 707.	Maintenance.	42
Sec. 708.	Specifications for Final Plats Involving Private Roads.	43
Sec. 709.	Purchaser's Acknowledgement.	43

**ARTICLE VIII DESIGN REQUIREMENTS FOR BLOCKS AND LOTS 45**

Sec. 801.	Block Lengths and Widths.	45
Sec. 802.	Lot Size, Width and Depth.	45
Sec. 803.	Lot Lines.	46
Sec. 804.	Double Frontage Lots.	46

**Table of Contents**  
**Warren County Subdivision and Land Development Ordinance**

---

Sec. 805,	Flag Lots.	46
Sec. 806.	Lot Remnants Not Permitted.	47
Sec. 807.	Monuments.	47
<b>ARTICLE IX</b>	<b>STORM DRAINAGE AND UTILITIES</b>	<b>48</b>
Sec. 901.	Easements.	48
Sec. 902.	Storm Drainage System.	48
Sec. 903.	Water System.	49
Sec. 904.	Fire Hydrants.	50
Sec. 905.	Sanitary Sewerage System.	50
Sec. 906.	Utilities.	51
<b>ARTICLE X</b>	<b>ADMINISTRATIVE AND LEGAL STATUS PROVISIONS</b>	<b>52</b>
Sec. 1001.	Administration and Interpretation.	52
Sec. 1002.	Fees.	52
Sec. 1003.	Additional Specifications.	53
Sec. 1004.	Variances.	53
Sec. 1005.	Administrative Appeal.	54
Sec. 1006.	Inspections.	55
Sec. 1007.	Enforcement, Violations, Remedies, and Penalties.	55
Sec. 1008.	Amendment.	56
Sec. 1009.	Severability.	57
Sec. 1010.	Liability.	57
Sec. 1011.	Repeal and Amendment of Previous Ordinances.	57
Sec. 1012.	Effective Date.	57
	<b>INDEX</b>	<b>58</b>

**LIST OF TABLES**

TABLE 5.1	APPLICATION REQUIREMENTS	17
TABLE 5.2	PLAT AND PLAN SPECIFICATIONS	18
	FEES	52

**Table of Contents**  
**Warren County Subdivision and Land Development Ordinance**

---

**ARTICLE I  
TITLE, PURPOSE, AND AUTHORITY**

- Sec. 101. Short Title.  
Sec. 102. Purpose and Intent.  
Sec. 103. Authority.

**Sec. 101. Short Title.**

This Ordinance (Chapter) is known and may be cited as the "Subdivision and Land Development Ordinance of Warren County, Georgia."

**Sec. 102. Purpose and Intent.**

This Ordinance and its 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 County;
2. To encourage economically sound and stable land development;
3. To assure the provision of required roads, utilities, and other facilities and services to new land developments in conformance with public improvement standards of the County;
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, land developer, and staff to follow;
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 natural, economic and scenic resources of the community;
11. To help eliminate the costly maintenance problems which develop when roads 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.

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**Sec. 103. Authority.**

This Ordinance is adopted pursuant to powers vested in counties by Georgia law, including the State of Georgia Constitution, home rule powers, and state administrative rules for the adoption and implementation of Comprehensive Plans and the protection of vital areas of the State.

**Article II, Reference to Other Regulations**

**Warren County Subdivision and Land Development Ordinance**

**ARTICLE II  
REFERENCE TO OTHER REGULATIONS**

Sec. 201. Soil Erosion and Sedimentation Control.

Sec. 202. Reference to Environmental Regulations.

Sec. 203. Reference to On-Site Sewage Management System Regulations. Sec.

204. Special Review of Subdivisions along State Routes.

**Sec. 201. Soil Erosion and Sedimentation Control.**

No land shall be platted or developed except in compliance with the Warren County Soil Erosion and Sedimentation Control Ordinance, codified at Chapter 14, Article II of the Warren County Code, as amended. Compliance with said Soil Erosion and Sedimentation Control Ordinance shall be determined by personnel who have been designated said Ordinance for this purpose.

**Sec. 202. Reference to Environmental Regulations.**

All subdivisions and land developments shall comply as required with the environmental regulations of the Warren County Code, including but not limited to Ordinances adopting protection measures for water supply watershed (Chapter 14, Article III) wetlands (Chapter 14, Article IV), and groundwater recharge areas (Chapter 14, Article V), as amended.

**Sec. 203. Reference to On-Site Sewage Management System Regulations.**

All Subdivisions and land developments shall comply with the On-Site Sewage Management System Ordinance of Warren County, as codified in Chapter 18, Article II of the Warren County Code, as amended.

**Sec. 204. Special Review of Subdivisions along State Routes.**

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

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



approval. If the plat is recommended for rejection, the reasons for rejection and requirements for approval shall be given the Warren County Planning Commission in writing. A recommendation for rejection shall be binding on the Warren County Planning Commission unless the Warren County Planning Commission, by official action recorded in its minutes, overrules the recommendation for rejection."

### ARTICLE III DEFINITIONS

Sec. 301. Generally.  
Sec. 302. Definitions.

#### **Sec. 301. Generally.** *(Amended September 12, 2006)*

Except as specifically defined herein, all words used in this Ordinance have their customary dictionary definition. Words used in the present or past tense include the future. Words in the singular include the plural, and vice versa. The masculine gender includes the feminine and neuter, and vice versa; when the sense so indicates, words of the neuter gender may refer to any gender. The word "building" includes any structure. The word "shall" is mandatory. The word "may" is permissive.

The definitions contained within the Land Use Ordinance of Warren County, Georgia, as amended, shall be applicable to this Subdivision and Land Development Ordinance and are included by reference as if fully contained herein. In the event of conflict between definitions of this Subdivision and Land Development Ordinance and the definitions of the Land Use Ordinance, the definitions in this Subdivision and Land Development Ordinance shall prevail. *(Amended September 12, 2006)*

#### **Sec. 302. Definitions.**

Access easement: An easement devoted to vehicular access which affords a principal means of access to abutting property or properties, but which is not necessarily open to the general public and which is not necessarily improved to standards of the County.

Administrative appeal: A request for a review of an Administrative Officer's interpretation of any provision of this Ordinance, or an action taken by the Administrative Officer in the application or enforcement of this Ordinance.

Administrative Officer: The Administrative Officer of Warren County, or his or her authorized representative, as so designated by the Warren County Board of Commissioners.

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

Best Management Practices (BMPs): A collection of structural practices and vegetative measures which, when properly designed, installed and maintained, will provide effective erosion and sedimentation control.

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

Board: The Board of Commissioners of Warren County, Georgia.

Board of Commissioners: The Board of Commissioners of Warren County, Georgia.

Buildable area: The portion of a lot which is not located within any minimum required yard, landscape strip/area or buffer; that portion of a lot wherein a principal building may be located.

Common contiguous parcels: Parcels adjoining or touching other land at a common point and having a common owner, regardless of whether portions of the parcels have separate tax lot numbers, were purchased in different land lots, or were purchased at different times.

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

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

County: Warren County, Georgia.

County Attorney: The Attorney of Warren County.

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

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

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

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

Cut: A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to excavated surface. Also known as "excavation."

Deceleration lane: An added roadway lane of a specified distance that permits vehicles to leave the main vehicle stream and slow down.

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

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

Detention: The temporary retraining of storm water on-site.

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

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

Development permit: Approval by the Administrative Officer to proceed with development. For purposes of this Ordinance, the development permit required by this Ordinance shall be coordinated with the permit required for compliance with Soil Erosion and Sedimentation Control Ordinance of Warren County as specified in Chapter 14, Article II, Sec. 14-37 of the Warren County Code, as amended.

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

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

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

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

Excavation: A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to excavated surface. Also known as "cut."

Fill: A portion of land surface to which soil or other solid material has been added; the depth above the original ground.

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

Gated community: Residential areas containing at least thirty (30) lots and that restrict access to normally public roads and spaces. These are subdivisions of usually high-end houses. Gates can include guard houses, electronic arms operated by card, codes, or remote control devices. Visitors must stop to be verified for entry.

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

**Article III, Definitions**  
**Warren County Subdivision and Land Development Ordinance**

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Grading: Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

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

Highway: A term applied to streets and roads that are under the jurisdiction of the Georgia Department of Transportation or federal highway agency. Highway are major arteries of the county circulation network, carry significant volumes of traffic for both long and short trips, and are designed with access to abutting properties with some degree of control and safe standards of design.

Home owners association: An organization formed for the maintenance and operation of the common areas of a development, where membership in the association is available to a person who has purchased of a dwelling unit or lot within the development, and which may have the ability to legally assess each owner of a dwelling unit or lot and which may have authority to place a lien against all dwelling units and lots within the development.

Impact: The effect of any direct man-make actions or indirect repercussions of man-made actions on existing physical, social, or economic conditions.

Intra-family land transfer: A division of land within one or more specified land use districts that creates at least one additional lot but not more than four additional lots, each of which is not less than one acre nor more than five acres in size, where each and every lot within the subdivision is conveyed to the children, spouse and children, surviving heirs, in-laws, or immediate relatives of the property owner, or some combination thereof, and where no more than one (1) lot in the subdivision is deeded to any one individual. This definition shall not include or authorize any land subdivision that involves or will involve the creation of lots for sale or otherwise involves a property transfer for money, tangible or intangible personal property, real property exchanges, or other conveyances for consideration.

Land-disturbing activity: Any activity which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices exempt from the county's Soil Erosion and Sedimentation Control Ordinance.

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

Lot: A portion or parcel of land intended as a unit for transfer of ownership or for development or both, intended to be devoted to a common use or occupied by a building or group of buildings

**Article III, Definitions**  
**Warren County Subdivision and Land Development Ordinance**

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devoted to a common use, and having principal frontage on a public road or an approved private road. In determining the area and dimension of a lot, no part of the right-of-way may be included.

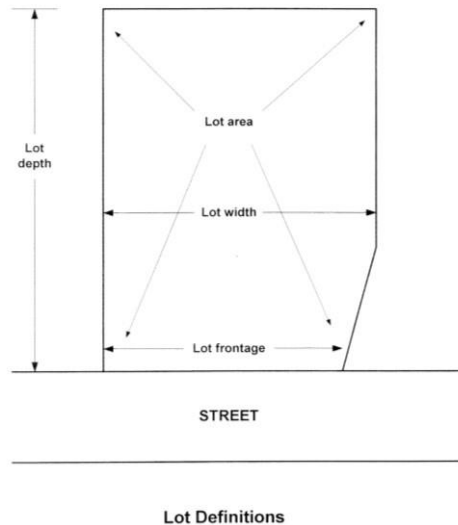
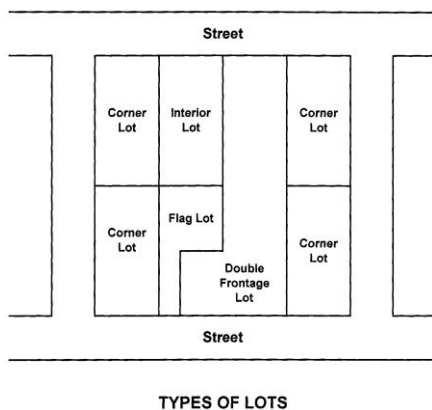
Lot of record: Any single parcel of land within the County which was legally platted and recorded in the Clerk of Superior Court of Warren County's Plat and Deed records prior to adoption of this Ordinance or which was lawfully subdivided after the effective date of this Ordinance.

Lot area: The total horizontal area within the lot lines of a lot, exclusive of public road right-of-ways or private road or access easements, where they exist.

Lot, corner: A lot abutting upon two or more roads 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 that has frontage upon two or more roads 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 road or where existing, a private road, is less than the required minimum width for construction of a building or structure on that lot. Such lots have elongated access from the road and a conventionally proportioned building site at the rear of the lot.

Lot frontage: The width in linear feet of a lot where it abuts the right-of-way of any public road, or where it exists, a private road.

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

**Article III, Definitions**  
**Warren County Subdivision and Land Development Ordinance**

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

Mortgage Lot: A lot which is created for the primary or sole purpose of meeting the requirement of a bank or lending institution for a loan or mortgage in cases where property descriptions must be smaller than the total acreage of the tract on which the principal building that is the subject of the loan is located.

Open space: Land and water areas retained for use as passive recreation areas or for resource protection or conservation in an essentially undeveloped state.

Original tract: A unit of land which the owner holds under single or unified ownership, or which the owner holds controlling interest on the effective date of this Ordinance, where all land abutting said tract is separately owned by others, not related to or associated by business partnership with the owner.

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

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

Performance guarantee: Any financial deposit or other security that may be accepted by the county as a guarantee that improvements required as part of an application for subdivision or land development are satisfactorily completed in conformance with approved plans.

Person: Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this State, any interstate body, or any other legal entity.

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

Plat, preliminary: A drawing which shows the proposed layout of a subdivision in sufficient detail to convey to the planning commission or others the concept and workability of a subdivision, but not complete in form or detail required for recording.

Potable water: Water that is suitable for human consumption, human contact, or in the preparation of foods for human consumption.

**Article III, Definitions**  
**Warren County Subdivision and Land Development Ordinance**

---

Preserve: An area in which beneficial uses or natural landforms in their present condition are protected; for example, a nature preserve or wildlife habitat management area.

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

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

Regional Development Center: The Central Savannah River Area Regional Development Center.

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

Reservation: The designation by plat or deed of a certain area reserved for possible future public purposes. A reservation does not transfer title of the reserved area to the public unless the Board of Commissioners of Warren County, Georgia accepts the area for public purposes.

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

Retention: The permanent maintenance of storm water on-site.

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

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

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

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

Road: A state highway, a county road, a road adopted as a county-owned right of way approved for county maintenance pursuant to Sec. 30-101 of the Warren County Code, a street owned and/or maintained by a municipality, or where permitted, a private road. Roads afford the principal means of access to abutting property or properties and are required to meet specifications contained in this Ordinance. The term includes "street" but does not include



“access easement.”

Road, private: An improved road, distinguished from a public road in that the right-of-way which affords a principal means of access to abutting property or properties is privately owned and maintained. Private roads are required to meet specifications contained in this Ordinance.

Road, public: A state highway, county road, a road adopted as a county-owned right of way approved for county maintenance pursuant to Sec. 30-101 of the Warren County Code, or a street owned and/or maintained by a municipality. New public roads are required to meet specifications contained in this Ordinance.

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

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

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

Sewer: An artificial and usually subterranean conduit designed to carry off sewage and/or water. The term includes any pipe, manhole, connection, or other appurtenances thereto, located in a public right-of-way or easement that is designed to transport sewage and/or water.

Sewer, sanitary: A sewer that carries sewage and residential, commercial or industrial waste.

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

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

Subdivision: The division of a tract or parcel of land into two (2) or more lots, building sites, lease lots, or other divisions for the purpose, whether immediate or future, of sale, lease, legacy, or building development. The term shall include the opening of a new road, a change in existing roads, or divisions of land involving the extension of water, sewer, or gas lines. The term includes re-subdivision and, where appropriate to the context, relates to the process of subdivision or to the land or area subdivided.

Sight visibility triangle: The areas at the corners of an intersection of two roads, or at the intersection of a road and any driveway, which may vary based on type of road involved, that are to be kept free of vegetation, trees, shrubs, ground covers, berms, fences, buildings,

**Article III, Definitions**  
**Warren County Subdivision and Land Development Ordinance**

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structures, or other materials or objects that may impair or impede a person's ability to observe other persons or traffic on the adjacent intersecting roadway and/or driveway.

Subdivision, major: The subdivision of a tract of land into two or more lots that involve the installation of a new road, and any subdivision involving six (6) or more lots regardless of whether or not installation of a new road is required. There is adequate provision for potable water supply and wastewater management for each lot in a major subdivision.

Subdivision, minor: The subdivision of a tract of land into not more than five (5) lots in which the installation of a new road is not required, and where each lot has minimum required frontage on a existing state highway, county-owned public road, or other public road. There shall be adequate provision for potable water supply and wastewater management for each lot in a minor subdivision.

Trail: A way designed for and used by equestrians, pedestrians, and/or cyclists using nonmotorized bicycles.

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

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

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

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

Well: A hole or shaft excavated, bored, drilled, dug, or driven to tap an underground supply of water.

**ARTICLE IV  
GENERAL PROVISIONS**

- Sec. 401. Delegation of Authority to Administrative Officer.
- Sec. 402. Planning Commission Authority.
- Sec. 403. Jurisdiction.
- Sec. 404. Land is One Tract Until Subdivided.
- Sec. 405. Subdivision of Land.
- Sec. 406. Development of Land.
- Sec. 407. Building and Other Permits.
- Sec. 408. Public Roads and Lands.
- Sec. 409. Preliminary Plat, Development Plans and Development Permit Required.
- Sec. 410. Recording of Subdivision Plats.
- Sec. 411. Exemptions from Plat Approval.
- Sec. 412. Exemption from Development Permit.
- Sec. 413. Burial of Materials.
- Sec. 414. Mortgage Lots.

**Sec. 401. Delegation of Authority to Administrative Officer.**

The Warren County Board of Commissioners hereby delegates to the Administrative Officer the authority to approve, conditionally approve, or disapprove final plats, lot combination plats, and boundary line adjustments, provided, however, such delegation does not authorize the Administrative Officer to accept public improvements for the Warren County Board of Commissioners. The Administrative Officer is vested with the authority to review, approve, conditionally approve, or disapprove development plans. No person shall refuse entry or access to the Administrative Officer upon request to enter onto property for purposes of inspection, upon the presentation of appropriate credentials, nor shall any person obstruct, hamper or interfere with any such Administrative Officer while in the process of carrying out his or her official duties.

**Sec. 402. Planning Commission Authority.**

The Planning Commission shall be authorized and have the duty to review and act on applications for preliminary plat approval and to make recommendations to the Warren County Board of Commissioners upon receipt of an application for a variance to the strict terms of this Ordinance.

**Sec. 403. Jurisdiction.**

This Ordinance shall apply to all unincorporated lands within the county boundaries of Warren County, Georgia.

**Sec. 404. Land is One Tract Until Subdivided.**

Until property proposed for subdivision has received final plat approval and been properly recorded, the land involving the subdivision shall be considered as one tract, except land may be considered as multiple tracts if legally recorded as such before the effective date of this Ordinance.

**Sec. 405. Subdivision of Land.**

No person shall subdivide land except in conformance with this Ordinance. It shall hereafter be unlawful for any person to sell, transfer, agree to sell, offer at public auction, negotiate to sell or subdivide any land until a preliminary plat, if required, and the final plat have been approved and the final plat recorded in accordance with this Ordinance. Said restriction applies to lands subdivided for non-residential as well as residential uses. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transfer shall not exempt the transaction from this Ordinance or from the penalties established herein. The County, through its attorney or other official designated by the Warren County Board of Commissioners, may enjoin such transfer of, sale, or agreement by appropriate action.

**Sec. 406. Development of Land.**

No person shall disturb or develop land or engage in development except in accordance with this Ordinance. It shall hereafter be unlawful for any person to disturb or develop any land until a development plan, if required, has been approved by the Administrative Officer in accordance with this Ordinance. No person shall begin construction of any improvement on any lot prior to the approval of a preliminary plat, if required by this Ordinance, nor prior to approval of a development plan for said improvement as required by this Ordinance.

The Administrative Officer shall not authorize or permit the clearance of trees and vegetative materials, except for grubbing, outside approved construction limits.

**Sec. 407. Building and Other Permits.**

No person shall construct or participate in the construction of any building or other structure or engage in any excavation, grading, or land disturbing activity on any parcel of land regulated by this Ordinance unless a development permit authorizing such activity has been issued in accordance with the provisions and procedures of this Ordinance and other development regulations (See Article 2 of this Ordinance) as applicable.

**Sec. 408. Public Roads and Lands.**

No land dedicated as a public road or other public purpose shall be opened, extended or accepted as a public road or for any other purpose unless such dedication of public road is constructed in accordance with the specifications and procedures of this Ordinance and accepted by the Board of Commissioners of Warren County.

**Sec. 409. Preliminary Plat, Development Plans and Development Permit Required.**

No person shall begin development, land-disturbing activity, or construction of any improvement on any lot or land except in compliance with this Ordinance. No development permit shall be issued for land disturbing activity or the installation of improvements prior to the approval of a preliminary plat of such land, if required, and the approval of a development permit nor prior to approval by the Administrative Officer of plans for land disturbance and installation of improvements.

**Sec. 410. Recording of Subdivision Plats.**

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

**Sec. 411. Exemption from Plat Approval.**

The following types of land subdivision, transfer, and sale are specifically exempted from the plat approval requirements of this Ordinance; provided, however, that such exemptions shall not apply to land development requirements and improvement requirements of this Ordinance:

- (a) The creation and sale of cemetery plots.
- (b) The sale of lots consistent with previously approved and recorded plats or deeds.
- (c) The creation of leaseholds for space within a multiple-occupancy building or the division of property into leaseholds for commercial, industrial, or institutional use.
- (d) The creation of leaseholds for the agricultural use of property where the use does not involve the construction of a building to be used as a residence or for other purposes not directly related to agricultural use of the land or crops or livestock raised thereon.
- (e) Any division of land to heirs through a judicial estate proceeding, or any division of land pursuant to a judicial partition, or any division of land occurring from the foreclosure of a deed of trust; provided, however, that such exemption shall not require the County to approve development on such lots if the resulting lots or parcels fail to meet any applicable County regulations regarding lot size, lot width, and other dimensional requirements.
- (f) Mortgage lots, as defined, and as otherwise regulated in Sec. 414 of this ordinance.

**Sec. 412. Exemption from Development Permit.**

Any development or activity that is exempt from the Warren County Soil Erosion and Sedimentation Control Ordinance (see Chapter 14, Article II of the Warren County Code) shall be similarly exempt from the development permit requirements of this Ordinance.

**Sec. 413. Burial of Materials.**

No person shall bury, or cause or permit any person to bury, any trash, garbage, refuse, glass, cans, tires, appliances or other similar man-made objects materials on any property under subdivision or development, except within the limits of approved landfills or other sites specifically approved for such purpose(s).

No person shall bury, or cause or permit any person to bury, any tree stumps, limbs, and similar natural materials on any property under subdivision or development, except that the Administrative Officer may permit the burial of such natural materials on property under subdivision or development, if the site for burial of natural materials is specifically designated on the preliminary and final plat for the subdivision, if applicable, and on plans for the development, and a deed restriction is placed on the lot or development prohibiting the construction or development of a building, structure, or parking area on said burial site.

**Sec. 414. Mortgage Lots.**

This provision addresses situations where a bank requires the creation of small (e.g., 1-acre to 5-acre) tract of property from a larger existing parcel (usually farmland or timber land) in order to provide a mortgage or loan on a home or other principal building, rather than referring to the entire existing lot of record.

- (a) In cases where a person can show the Administrative Officer in writing that an application for loan or mortgage involving real property has been filed with a bank or lending institution, and said bank or lending institution requires, for purposes of the loan or mortgage, a description of property that encompasses less land area than the lot of record, one or two mortgage lots (see definition) may be lawfully created from the parcel of record without constituting a subdivision. Minimum lot sizes established by any land use district of Warren County shall not be construed to prevent the creation of mortgage lots pursuant to this Section, even if the resulting mortgage lot created is less than the minimum lot size required by said land use district. The applicant shall be required in the case of a mortgage lot to file with the Administrative Officer of Warren County a copy of the survey plat creating the mortgage lot, and may be recorded in the records of the Warren County Superior Court Clerk as a mortgage lot plat of record.
- (b) If created, a mortgage lot shall be no less than one acre and no larger than five acres in size. This provision shall not allow for the creation of a mortgage lot from any lot of record that is five acres or less in area.
- (c) No mortgage lot shall be created unless it has a minimum of thirty-foot wide access easement from a road abutting the property frontage of the larger lot of record to the boundary of the mortgage lot.

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

- Sec. 501. Pre-Application Conference.
- Sec. 502. Application for Preliminary Plat Approval.
- Sec. 503. Plat and Plan Specifications.
- Sec. 504. Transmittal of Preliminary Plat to Review Agencies.
- Sec. 505. Review by the Planning Commission.
- Sec. 506. Duration of Preliminary Plat Approval.
- Sec. 507. Amendments to Preliminary Plat Approval.
- Sec. 508. Submittal of Development Plans.
- Sec. 509. Indemnity.
- Sec. 510. Review and Approval of Development Plans.
- Sec. 511. Issuance of Development Permit.
- Sec. 512. Responsibilities after Issuance of Development Permit.
- Sec. 513. Development of Regional Impact.
- Sec. 514. Application for Final Plat Approval.
- Sec. 515. Final Plat Specifications and Certificates.
- Sec. 516. Action on the Final Plat.
- Sec. 517. Recording of Final Plats.
- Sec. 518. Subdivision Improvement Guarantees.
- Sec. 519. Dedications of Public Roads and Acceptance of Improvements.
- Sec. 520. Minor Subdivisions.
- Sec. 521. Limitations on Minor Subdivisions.
- Sec. 522. Lot Combinations and Boundary Line Adjustments.
- Sec. 523. Distribution of Recorded Final Plat.

**Sec. 501. Pre-Application Conference.**

Whenever a person proposes the subdivision of a tract of land or any land development, he is encouraged (but not required) to consult early and informally with the Administrative Officer. The prospective subdivider or land developer may submit sketch plans and data showing existing conditions within the site and its vicinity, and the proposed layout and development of the subdivision or land development. This pre-application conference is intended to permit an early evaluation of the subdivider's or land developer's intentions, to ensure coordination with the Comprehensive Plan of the County, and to provide the subdivider or land developer with the necessary laws, rules, and 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.

**Sec. 502. Application for Preliminary Plat Approval.**

The purpose of this Section is to ensure compliance with the basic design concepts and improvement requirements of subdivisions through the submittal of a preliminary plat. Any

subdivision involving the dedication of a public road or public land, and any subdivision involving a new private road, shall require the submission of a preliminary plat to the Administrative Officer for review by the Administrative Officer and Warren County Health Department, and review and approval by the Planning Commission.

Applications for preliminary plat approval shall meet the requirements of Table 5.1.

**TABLE 5.1  
APPLICATION REQUIREMENTS**

<b>REQUIREMENT</b>	<b>PRELIMINARY PLAT</b>	<b>DEVELOPMENT PLANS</b>	<b>FINAL PLAT</b>
Pre-application review (first step)	Encouraged	Encouraged	
Application form completed	Required	Required	Required
Letter requesting approval with name, address, and phone of applicant	Required	Required	Required
Number of copies of plat/plans	8 Copies	4 Copies	3 Copies
Filing fee (see Section 1002)	Required	Required	Required
Description of type of water supply and sewerage system and utilities to be provided	Required	Required	Required
Soil test for each lot proposed for on-site septic tank and drainfield	Required	Required	Required
Data on existing conditions	Required		
Soil erosion and sedimentation control plan and specifications as required by Warren County Code		Required	Required
Warranty deed for the dedication of roads and other public places			Required
Written approval from electric utility company regarding installation of service points and road lights			Required
Reproducible original			Required
As-built drawings of public improvements		Required	
Subdivision improvement guarantee			Required
Certificate of title			Required
Plat Certificates			Required

**Sec. 503. Plat and Plan Specifications.**

Preliminary plats, development plans, and final plats shall meet the specifications of Table 5.2.



**TABLE 5.2  
PLAT AND PLAN SPECIFICATIONS**

<b>INFORMATION REQUIRED</b>	<b>PRELIMINARY PLAT</b>	<b>DEVELOPMENT PLANS</b>	<b>FINAL PLAT</b>
Scale (minimum)	1"=100 feet	1"=100 feet	1"=100 feet
Sheet size (maximum)	24" x 36"	24" x 36"	17" x 22"
North arrow and graphic engineering scale	Required	Required	Required
Reference to north point (magnetic, true north, or grid north)			Required
Proposed name of subdivision or project and phases, if any	Required	Required	Required
Vicinity map	Required	Required	Required
Total acreage of the property being subdivided or developed	Required	Required	Required
Name, address, and telephone of owner of record	Required	Required	Required
Name, address and telephone of subdivider or land developer	Required	Required	Required
Name, address and telephone of preparer of plat or plans	Required	Required	Required
Date of plat or plan drawing and revision date(s) if any	Required	Required	Required
Exact boundaries of the tract to be subdivided or developed by bearings and distances, tied to one or more benchmarks	Required	Required	Required
Names of owners of record of all abutting land	Required	Required	Required
Municipal, County and land lot lines inside the property or within 500 feet.	Required	Required	Required
Existing buildings and structures on or encroaching on the tract to be subdivided or developed	Required	Required	Not Shown
Existing roads, utilities and easements on and adjacent to the tract	Required	Required	Required
Environmental conditions (streams, wetlands, watershed supply watersheds, groundwater recharge areas, flood hazard areas, etc.)	Required	Required	Required

**Article V, Procedures and Requirements for Plat and Plan Approval Warren  
County Subdivision and Land Development Ordinance**

Block boundaries lettered and each lot numbered consecutively counterclockwise without repetition	Required		Required
Dimensions and acreage of all lots	Approximate	Exact	Exact
<b>REQUIREMENT</b>	<b>PRELIMINARY PLAT</b>	<b>DEVELOPMENT PLANS</b>	<b>FINAL PLAT</b>
Locations of roads, alleys, lots, open spaces, and any public use reservations and/or common areas	Required	Required	Required
Right-of-way widths and pavement widths for abutting roads and existing and proposed roads within the subdivision or development		Required	Required
Locations, widths and purposes of easements		Required	Required
Road centerlines showing angles of deflection, angles of intersection., radii, and lengths of tangents and arcs, and degree of curvature and curve data		Required	Required
Acreage to be dedicated to the public			Required
Road names (as proposed)		Required	Required
Topography as required by this Ordinance (see footnote 1)	Required	Required	Not Shown
Minimum building setback/yard lines for all lots drawn on plat or plan	Required	Required	Required
Location and description of all monuments			Required
Certificate of ownership and dedication			Required
Plat recording and signature block			Required
Land surveyor's stamp, certificate, signature, including field survey and closure statement			Required
Professional engineer's stamp, certificate, and signature, when the subdivision or land development involves a water system or sewer system or storm water improvements		Required	Required

**Article V, Procedures and Requirements for Plat and Plan Approval Warren County Subdivision and Land Development Ordinance**

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Land surveyor's or professional engineer's stamp, certificate, and signature, when the subdivision or land development involves a new road		Required	Required
Statement of and reference to private covenants, if any			Required
Schedule of construction for all proposed projects with particular attention to development planned for the first year	Required	Required	

Footnote 1: Contour intervals of five (5) feet for hilly terrain (slopes greater than 10 percent), two (2) feet for rolling terrain (2-10 percent) and one (1) foot for flat terrain (slopes less than 2 percent). Contour lines shall be based on field surveys or photogrammetric methods for aerial photographs. The basis for the topographic contour shall be specified. Topographic data based on geological survey maps that have been adjusted by field survey data may be accepted by the County if it determines that such data will be adequate to evaluate the layout of lots and roads, drainage and other service requirements.

**Sec. 504. Transmittal of Preliminary Plat to Review Agencies.**

The Administrative Officer shall transmit for review and comment a copy of the preliminary plat to the Warren County Health Department, and, when involving property abutting a state route, to the Georgia Department of Transportation. At his or her 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 County Attorney, the County Fire Chief, the County 911 Coordinator, the State Department of Natural Resources, and any other agency that may have an interest in or jurisdiction over the proposed subdivision. The Administrative Officer shall consider such comments and may recommend conditions of preliminary plat approval to be consistent with said comments.

**Sec. 505. Review by the Planning Commission.**

Upon receipt of a complete preliminary plat and plat application, the Administrative Officer shall schedule the application for the next public meeting before the Planning Commission and forward all pertinent materials in the application to the Planning Commission for review. An application for preliminary plat approval must be submitted at least twenty-one (21) calendar days before the regular meeting date of the Planning Commission to be considered on that agenda. The applicant or his or her authorized representative shall attend the Planning Commission meeting at which preliminary plat approval is sought. The Planning Commission will take no action on a preliminary plat application unless the subdivider or his or her authorized representative is present. The time limitations imposed in this Section shall be suspended when an applicant fails to attend the meeting at which his preliminary plat application is scheduled for consideration by the Planning Commission.

Meetings of the Planning Commission during which a preliminary plat is considered shall be open to the public, but the Planning Commission shall not be required to provide notice to adjacent or nearby property owners of the application and shall not be required to convene a

public hearing on the matter. This shall not preclude the Planning Commission from recognizing and hearing from any member of the public, when in its judgment it may be advantageous to do so.

The Planning Commission shall approve, conditionally approve, or deny the application within thirty-five (35) calendar days from the date it first considers a preliminary plat application at one of its public meetings. The basis of the Planning Commission's review of and action on a preliminary plat shall be whether the preliminary plat meets the purposes and requirements of this Ordinance and other applicable laws and is consistent with the comprehensive plan.

**Sec. 506. Duration of Preliminary Plat Approval.**

Approval of a preliminary plat shall be valid for a period of two (2) years, during which time a complete application for development plan approval must be submitted. If a completed application for development plan approval is not submitted within two (2) years after preliminary plat approval, said approval shall expire and be null and void.

**Sec. 507. Amendments to Preliminary Plat Approval.**

Upon application by the property owner or his designated agent, the Administrative Officer is authorized to approve minor amendments to preliminary plats (i.e., those that do not affect the public or private road configuration and which do not increase the number of lots). The requirements and procedures for all other amendments to preliminary plats shall be the same as for preliminary plat applications.

**Sec. 508. Submittal of Development Plans.**

No person may perform any development regulated by this Ordinance without first submitting to the Administrative Officer such plats, plans, or construction drawings as may be required by this Ordinance and obtaining the Administrative Officer's approval to perform the development.

Following approval of the preliminary plat for a land subdivision, or if subdivision is not proposed, upon proposing a land development (not otherwise exempt from this Ordinance), the subdivider or land developer shall submit an application for development plan approval per the requirements of Table 5.1 for development plans. The development plans shall, at minimum, include information specified in Table 5.2 for development plans. Said plans shall consist of the following:

- (a) Site plan providing information on the property to be developed, based on a boundary survey prepared by a registered land surveyor.
- (b) Utility plan, prepared by a professional engineer, providing information regarding the location, size, length and type of all water, sanitary sewer, storm sewer, and

- drainage improvements, showing their minor structures (if provided in the development), appendages and connections with existing systems, and the approximate location of service lines from the lots or buildings within the development to the proposed utility lines.
- (c) Road plan, for public or private roads, prepared by a registered land surveyor or professional engineer, providing information as follows: road profiles and crosssections as required by the Administrative Officer, type of sub-base, type of paving base, type of road paving and type of improvements within the road right-of-way outside of the paved area, and any additional information specified by this Ordinance or reasonably required to ensure compliance with this Ordinance.
  - (d) Grading plan and soil sedimentation and erosion control plan, which may be prepared by a registered landscape architect, professional forester or arborist, registered land surveyor, or professional engineer. See Chapter 14, Article II of the Warren County Code for the requirements of said plans.
  - (e) Standard drawings and construction specifications. When the subdivision or development involves an improvement for which a standard has not been established in this ordinance, or adopted by reference to another set of standards or specifications, the Administrative Officer may require the application for development include standard drawings and construction specifications.

**Sec. 509. Indemnity.**

Approval of development plans by Warren County or its authorized agents shall not imply nor transfer acceptance of responsibility for the application of the principles of engineering, surveying, landscape architecture, planning, or any other profession, from the professional corporation or individual under whose hand or supervision the plans were prepared and sealed.

The issuance of a development permit or the approval by Warren County (or any of its elected officials, appointed officials, officers, agents, or employees) of any plat or development plan shall not be interpreted to relieve the applicant, his agent, or any other person of the responsibility of maintaining full compliance with all laws, statutes, codes, ordinances, and other regulations of this state and Warren County. Except for any variance specifically approved hereunder, any development permit or approval issued in error or in contradiction to the provisions of this Ordinance shall be considered to have been null and void upon its issuance.

**Sec. 510. Review and Approval of Development Plans.**

Upon receipt of the completed development plan by the Administrative Officer, he shall review them for compliance with this Ordinance and any other applicable local laws and regulations. The Administrative Officer shall have ten (10) working days to certify compliance of the development plans with subdivision and land development requirements; provided, however, that when development plan approval is required by a state or federal agency or another Department of Warren County, review shall be extended to twenty-one (21) working days in order to secure the review and approval of said agency or department. The only basis upon which the Administrative Officer may deny a development plan is the failure of the application to

meet the requirements of this Ordinance or other applicable laws, or the failure of the development plan to be consistent with preliminary plat approval, if required.

Upon such certification of compliance, the Administrative Officer shall stamp the development plan with the date approved. If approved or conditionally approved, the Administrative Officer shall provide his signature on said approved plans indicating said approval, retain two copies of said plans for records, and return one copy to the applicant. If disapproved, the Administrative Officer shall notify the applicant in writing of the reasons for said disapproval. If the Administrative Officer requires changes, the applicant shall resubmit such plans to the Administrative Officer for review.

**Sec. 511. Issuance of Development Permit.**

Upon approval or conditional approval of a development plan, the Administrative Officer shall issue a development permit. Issuance of a development permit shall constitute authorization for the applicant to begin land-disturbing activities and the construction of improvements in accordance with approved plan.

A development permit shall be valid for a period of one (1) year after its issuance, after which time it shall become null and void unless the proposed development activity has begun.

**Sec. 512. Responsibilities after Issuance of Development Permit.**

Upon issuing a development permit, all activity on the development site shall be subject to inspections as specified or authorized under the terms of this Ordinance. See Article X of this ordinance for additional information.

Evidence of Warren County's approval of development activity, if required pursuant to this Ordinance, shall be posted on the development site by the owner or agent of the development in a conspicuous place at the front of the site where the permitted work is to be done, and in the form of a colored card no less than 11 inches by 17 inches. Cards shall be accessible and readable from the public right-of-way when abutting public rights-of-ways, or absent such rightof-way at the entrance to the driveway accessing the development site.

The owner of the development site is responsible for maintaining the development permit card and must replace any damaged, lost, or stolen permit cards before further inspections may be made.

**Sec. 513. Development of Regional Impact.**

This Section shall apply when an applicant (industry, business, or developer) requests some type of local government action related to a project, such as, but not limited to, a request for a land use change or special use, variance, permit, hookup to a water or sewer system, master or site plan approval, or entering into a contract, and it appears that the proposed development (or, for multi-phased projects, the complete development) meets the threshold(s) of a development of regional impact, according to "Rules of Georgia Department of Community Affairs, Chapter

110-12-3, Developments of Regional Impact, Effective July 1, 2001, as may be amended from time to time.

The subdivision and development application procedures established in this Ordinance will be modified by this Section in cases where a subdivision or development proposal fits the definition of a “development of regional impact” set forth in the aforementioned "Rules of Georgia Department of Community Affairs." Developments of regional impact will be processed according to said Rules , Chapter 110-12-3, Developments of Regional Impact, effective July 1, 2001, as may be amended from time to time.

When an application is received for development that meets or exceeds the thresholds established for that development type and thus constitutes a “development of regional impact” according to the aforementioned Rules of the Georgia Department of Community Affairs, the County will follow the procedures identified in said administrative rules which are summarized here.

When an application for a development of regional impact is received, the Administrative Officer on behalf of the County will complete an “Initial DRI Information” form and a “DRI Review Initiation Request” form. Each of these two forms may be submitted to the Regional Development Center simultaneously, provided the County has all necessary project-related information.

The County shall not take any official legislative or administrative action to advance or further a DRI project until the review process identified under the DRI review procedure specified in “Rules of Georgia Department of Community Affairs, Chapter 110-12-3, Developments of Regional Impact, Effective July 1, 2001,” as may be amended from time to time, is completed. The County may undertake preliminary staff administrative functions associated with a proposed DRI including, but not limited to, project evaluation/assessment, site visits, and placing consideration of the application on a future agenda for formal action, if required. The County shall not take any official action related to such a project until the DRI review process is completed and the County has had adequate time to consider the DRI review comments.

After the DRI review process is completed, the County may proceed with whatever action it deems appropriate regarding the proposed project, although it is encouraged to take the public finding and additional comments into consideration as it makes its decision.

If the project receives a negative public finding from the Regional Development Center and the County approves said project or takes action to advance said project, the County shall notify the Regional Development Center and the Georgia Department of Community Affairs of its action and identify all local requirements it has placed on the development that could mitigate any negative findings identified in the DRI review process.

**Sec. 514. Application For Final Plat Approval.**

In the case of a subdivision, after approval of a preliminary plat and upon completion of required improvements, the subdivider may then submit an application for final plat approval. Said application shall meet the requirements for final plat applications as specified in Table 5.1, and

the final plat shall meet the specifications for final plats shown in Table 5.2. In addition, the applicant for final plat shall submit to the Administrative Officer the following:

- (a) One time-stable reproducible film copy of the plat.
- (b) A letter certifying that all required improvements have been constructed and meet the specifications of the County; The subdivider shall upon completion of the required improvements outlined in this Ordinance request in writing that the Administrative Officer report by letter that all improvements required by this Ordinance have been completed according to County specifications. When such improvements comply, the Administrative Officer shall write a letter of compliance addressed to the subdivider stating the subdivision complies with the provisions of this Ordinance. Prior to writing such letter, the Administrative Officer shall inspect all underground installations, subgrades, bases or courses of asphalt, and such improvements shall not be covered or hidden before they are inspected and accepted by the Administrative Officer.
- (c) If required, a letter from the applicable electricity service company indicating that service points for individual lots and any roadway lights have been installed.
- (d) A performance bond for those required improvements not yet completed (e.g., 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 County;
  - (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 Administrative Officer;
  - (4) With a surety company licensed to do business in the State of Georgia; and
  - (5) Approved as to form and content by the County Attorney.
- (e) A maintenance bond, cash deposit, escrow account or other guarantee/instrument of financial security as approved by the County Attorney to ensure maintenance of required improvements in the subdivision for a period of one (1) year, payable to the County and in the amount of ten (10) percent of the Administrative Officer'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 County 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 Administrative Officer.
- (f) "As-built" drawings of: 1) all roads showing the planned and actual location of all utility lines, prepared by a registered land surveyor or professional engineer; 2) centerline profile of all roads with final grades prepared by a registered land surveyor or professional engineer; and 3) horizontal and vertical alignment including profiles and invert elevations of all water, storm sewer and sanitary sewer lines prepared by a professional engineer; provided, however, the Administrative Officer may allow said "asbuilt" drawings to be filed at any time prior to approval of the final plat if improvements



to the subject subdivision or land development and/or any "as-built" drawings for same are not complete. However, an application for final plat approval will not be deemed complete until the "as-built" drawings have been submitted to the Administrative Officer.

**Sec. 515. Final Plat Specifications and Certificates.**

The final plat shall be drawn to comply with the specifications in Table 5.2 for final plats. Certificates shall be included on the final plat, as follows:

1. Final Surveyor's Certificate:

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

By \_\_\_\_\_ Georgia Registered Land Surveyor No. \_\_\_\_.

Date \_\_\_\_\_

2. Certificate of Ownership and Dedication:

(State of Georgia)  
(County of Warren)

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

Public Roads	___ acres
Public Easements	___ acres
Public Parks/Open Space	___ acres

\_\_\_\_\_  
Typed Name of Subdivider

\_\_\_\_\_  
Typed Name of Owner of Record

\_\_\_\_\_  
Signature of Subdivider

\_\_\_\_\_  
Signature of Owner of Record

\_\_\_\_\_  
Date

3. Certificate of Approval:

**FINAL PLAT APPROVAL**

The Administrative Officer of Warren County, Georgia, certifies that this plat complies with the Subdivision and Land Development Ordinance of Warren County, Georgia, and that this plat is hereby approved and released for recording purposes.

\_\_\_\_\_  
Administrative Officer, Warren County

Date: \_\_\_\_\_

4. Certification of Health Department Approval:

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

\_\_\_\_\_  
Warren County Health Department

Date: \_\_\_\_\_

**Sec. 516. Action on the Final Plat.**

Upon receipt of a complete final plat application, the Administrative Officer may transmit for review and comment a copy of the plat to applicable review agencies. The Administrative Officer shall have ten (10) working days to approve or disapprove a final plat. The Administrative Officer may grant final plat approval if the following conditions, as applicable, are met:

- (a) A preliminary plat of the proposed subdivision, if required, has been previously approved by the Planning Commission.
- (b) Where new improvements are involved in the subdivision, development plans have been approved by the Administrative Officer, all improvements have been installed, improvements have been inspected by the Administrative Officer, and subdivision improvement guarantees as required by this Ordinance have been submitted.
- (c) The final plat meets all applicable requirements of this Ordinance.
- (d) A complete final plat application has been submitted, including all supporting materials required by this Ordinance for final plats.

Approval or disapproval of an application for a final plat shall be determined by the discretion of the Administrative Officer. Disapproval of a final plat shall be permitted only upon specific findings that one or more of the above-referenced conditions have not been met.

If said plat is in conformance with the preliminary plat and is approved by the Administrative Officer, the signature of the Administrative Officer shall be placed on the reproducible film copy or original of the plat, and the plat shall thereafter be recorded in the plat records of the County Clerk of Superior Court.

**Sec. 517. Recording of Final Plats.**

Upon final plat approval and without undue delay, the Administrative Officer shall record the approved final plat in the office of the Clerk of the Superior Court of Warren County and shall retain a time-stable reproducible film copy of same. Recording fees for final plats shall be charged to the applicant as a part of the final plat application. 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 Warren County Records where the final plat is recorded. Recordation of a final plat constitutes approval to begin the sale or transfer of subdivision lots.

**Sec. 518. Subdivision Improvement Guarantees.**

In order to protect the County and prospective purchasers of and residents in a subdivision, the subdivider or developer shall provide to the County financial security to guarantee the installation of public improvements. The guarantee shall be in an amount to secure the full costs, as determined by the County, of constructing or installing the improvements and utilities required. The subdivider's or developer's financial guarantee may be any of the following:

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

**Sec. 519. Dedications of Public Roads and Acceptance of Improvements.**

At any time after improvements proposed to be dedicated to the public are complete, the subdivider may submit a written petition to the Administrative Officer for the Warren County Board of Commissioners to accept public roads and other dedications, in whole or in part, within the subdivision. Said improvements shall not be accepted for maintenance until approved by the Warren County Board of Commissioners.

Subdivision streets and right-of-ways and other lands to be dedicated to the public shall be accepted and dedicated by the Board of Commissioners only upon the delivery to the Board of Commissioners of a general warranty deed conveying fee simple title of such right-of-ways and lands. The warranty deed shall be accompanied by an attorney's certificate of title and a tax transfer form addressed to the Warren County Board of Commissioners certifying that the grantor in such deed is vested with marketable fee simple title to the property conveyed thereby,

free and clear of all liens and encumbrances, and further that the individual executing such deed has full authority to do so.

**Sec. 520. Minor Subdivisions.**

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

**Sec. 521. Limitations on Minor Subdivisions.**

- (a) Findings. Minor subdivisions provide certain advantages, such as a shorter application process, less public scrutiny, and an ability to avoid road construction costs, which tend to favor their use over the filing of major subdivision applications. Given these advantages, the prospect exists that subdividers may seek to divide a parcel via consecutive and/or contiguous minor subdivisions, without providing new roads and being subjected to the Planning Commission's review, instead of filing for a major subdivision. It is the intent of the Board of Commissioners of Warren County to prohibit the practice of "chain" subdivisions where the same landowner subdivides land and then files minor subdivision applications on common contiguous parcels, which collectively total more than five (5) lots. It is also the intent of the Board of Commissioners of Warren County to prohibit minor subdivisions adjacent to each other within a three-year time period, in cases where part of an original tract of land is now owned by another person or entity and was transferred or sold to another owner with the apparent intent to circumvent the requirement that a major subdivision application be filed and approved.
- (b) Common contiguous parcels shown on minor subdivision plats. Contiguous common parcels, as defined by this Ordinance, shall be shown on all final plats for minor subdivisions, and contiguous common parcels shall be considered part of any application for minor subdivision, for purposes of determining whether or not the division of land proposed is a major subdivision or a minor subdivision. Common contiguous parcels shall not be counted as lots in the case of a minor subdivision, however.
- (c) Limitations. Land within a minor subdivision, including all contiguous parcels owned by the subdivider, shall not be further divided for a period of three (3) years as a minor subdivision but may be subdivided within that three-year period if a preliminary plat application is filed and approved as a major subdivision pursuant to the requirements of this Ordinance. If property proposed to be subdivided was part of an original tract on the effective date of this Ordinance, and if the property proposed to be subdivided abuts land that has been divided as a minor subdivision within a three (3) year period prior to the application, then minor subdivision of said property shall be prohibited. This provision shall not be construed to prohibit the approval of two contiguous minor subdivisions under separate ownership; however, this provision is intended to be construed liberally so that one property owner does not develop a

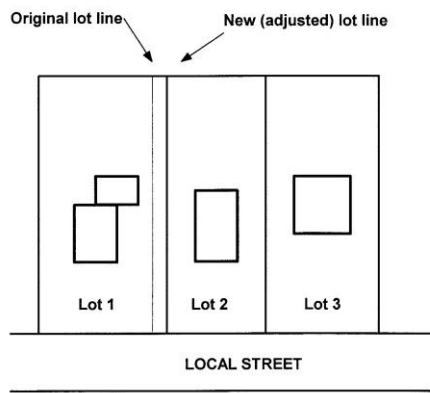
minor subdivision on part of an original tract and transfer or sell another part of the original tract for the purposes of minor subdivision within a three year period. It is the intent that land abutting a minor subdivision that was owned in whole or in part by the subdivider of the abutting minor subdivision, shall not be subdivided as a minor subdivision for a period of three years, regardless of ownership. In terms of prior ownership, a corporation that has as one of its officers one or more of the same persons who previously owned the property in question shall be considered the same owner and therefore prohibited from the filing of a minor subdivision within a three-year period from the date of any minor subdivision involving the original tract.

- (d) Specified actions. The Administrative Officer shall not approve a minor subdivision if any portion of the land to be subdivided was part of a minor subdivision approved by the County within the last three years prior to application. An application for minor subdivision shall not be accepted for processing or approved by the Administrative Officer if is inconsistent with the provisions of this Section.

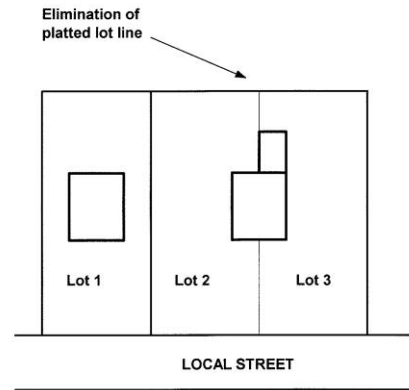
**Sec. 522. Lot Combinations and Boundary Line Adjustments.**

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

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



**Boundary Line Adjustment**



**Lot Combination**

**Sec. 523. 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 Warren County Tax Commissioner
2. The Warren County Tax Assessor
3. The Warren County Health Department
4. The Warren County GIS Coordinator
5. The Warren County 911 Coordinator
6. The Warren County Public Works Department

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

**ARTICLE VI  
ACCESS AND DESIGN REQUIREMENTS FOR ROADS**

- Sec. 601. Road Frontage and Access.
- Sec. 602. Conformance to Adopted Major Thoroughfare and Other Plans.
- Sec. 603. Continuation of Existing Roads.
- Sec. 604. Tract Plan for Future Roads and Phases.
- Sec. 605. Road Names.
- Sec. 606. Road Alignment, Intersections, and Jogs.
- Sec. 607. Development along State Highway.
- Sec. 608. Bridges.
- Sec. 609. Deceleration Lanes.
- Sec. 610. Road and Traffic Control Signs.
- Sec. 611. Reference to Other Improvement Specifications.
- Sec. 612. Alleys.
- Sec. 613. Road Right-of-Way Widths and Miters.
- Sec. 614. Sight Visibility Triangle.
- Sec. 615. County Road Pavement Width.
- Sec. 616. Asphalt Road Base and Paving Specifications.
- Sec. 617. Triple-Surface Treatment Road Paving Specifications.
- Sec. 618. Road Striping.
- Sec. 619. Road Drainage.
- Sec. 620. Road Banks.
- Sec. 621. Road Grade and Vertical Curves.
- Sec. 622. Cul-de-sac Streets and Turnarounds.
- Sec. 623. Curb Radii.
- Sec. 624. Curb and Gutter.
- Sec. 625. Sidewalks and Paths.
- Sec. 626. Street Lights.
- Sec. 627. Residential Driveways.
- Sec. 628. Non-Residential Driveways.
- Sec. 629. Construction Entrance/Exit.
- Sec. 630. 911 Addresses.

**Sec. 601. Road Frontage and Access.**

- (a) Subdivision Frontage. Unless otherwise specifically provided for in this Section, each new subdivision created pursuant to this Ordinance shall have a minimum of one-hundred twenty (120) feet of frontage on a public road, or if approved pursuant to this Ordinance for gated communities, a private road.
- (b) Lot Frontage. Unless otherwise specifically provided for in this Section, each new lot created pursuant to this Ordinance shall have a minimum of sixty (60) feet of lot frontage on a public road, or if approved pursuant to this Ordinance for gated communities, a private road. In the case of a lot fronting on and accessed by a culde-sac or other turnaround, the minimum lot frontage may be reduced to thirty-five (35) feet.

- (c) Lot Access to Road. Each lot shall have the opportunity to have access to the public road along which the lot fronts, subject to applicable state or county standards for driveways and drainpipes, provided, however, that provision for access to the public road abutting the lot shall not require the lot owner to use the public road for access if access to such public road is otherwise not permitted by this Ordinance or where shared access easements and driveways provide safe and acceptable alternative access to each lot. In the case of a gated community, each lot shall have access to a private road on which the lot fronts.
- (d) Requirements for New Roads. New roads internal to a subdivision shall be county public roads meeting the specifications of this Article, except that in the case of a gated community, private roads shall be permitted so long as they meet public road specifications. Roads interior to subdivisions, public or private, shall be paved with adequate right-of-way and meet all specifications of this Article.
- (e) Lot Access along State Highways. A minor subdivision (up to five lots) may be approved by the Administrative Officer where each lot fronts a minimum of sixty (60) feet on and has access to/from a state highway; provided, however, that shared access driveways are encouraged and permitted subject to approval of the Georgia Department of Transportation, to eliminate the number of driveways on accessing a state highway. Major subdivisions of six or more lots designed to have two or more lots fronting on a state highway shall not be permitted, but one lot within a major subdivision may have access to/from the state highway.
- (f) Lot Access to Paved County Roads. A minor subdivision (up to five lots) may be approved by the Administrative Officer where each lot fronts a minimum of sixty (60) feet on and has access to/from a paved county public road. A major subdivision may be approved by the Planning Commission where up to ten (10) lots front a minimum of sixty (60) feet and have access to/from a paved county public road. Where a major subdivision is proposed to have more than ten (10) lots fronting on and having access to a paved county public road, the Planning Commission shall require the subdivider to reconfigure the subdivision design so that no more than one (1) lot has access to the existing paved county public road.
- (g) Minor Subdivision Lot Access to Unpaved County Roads. A minor subdivision (up to five lots) may be approved by the Administrative Officer where each lot fronts a minimum of sixty (60) feet on and has access to/from an unpaved county public road.
- (h) Major Subdivision Access to Unpaved County Roads. A major subdivision of more than ten (10) lots that proposes to use an unpaved county public road as the primary access to the subdivision shall only be approved by the Planning Commission if the subdivider agrees to pave that portion of the existing unpaved county public road fronting the subdivision to county standards specified in this Ordinance. A major subdivision of thirty (30) or more lots which proposes to use an unpaved county public road as the primary access to the subdivision shall only be approved by the Planning Commission if the subdivider agrees to pave and paves that portion of the existing unpaved county public road fronting the subdivision to county standards specified in this Ordinance and, in addition, the subdivider agrees to pave and paves that portion of the existing unpaved county public road fronting the subdivision offsite to the point where the county public road intersects a paved county public road, state highway, or paved city street. Notwithstanding the provisions of this paragraph, the Planning Commission shall not approve a preliminary plat for a subdivision in a location where the existing roads providing primary access are inadequate to serve



- the additional traffic generated by the development and occupancy of the subdivision.
- (i) Access by Easement Only. No subdivision shall be approved for purposes of residential, institutional, or commercial building sites where a lot has access only by way of an easement rather than a road as required by this Section. This provision shall not prevent a person from subdividing a single lot with twenty-five (25) acres or more which has access only by means of an easement that has a minimum width of thirty (30) feet, within any given two-year period, for purposes of mining, timber harvesting, agriculture, or transfer to a family member for a residential building site, subject to approval by the Administrative Officer as a minor subdivision in accordance with the provisions of this Ordinance. In cases where a lot is proposed as a minor subdivision to serve for purposes of mining, timber harvesting, or agriculture, the final plat shall contain a restriction on the construction of any habitable dwelling on the property.
  - (j) Number of Accesses to Major Subdivisions of 50 Lots or More. When a subdivision consists of fifty (50) or more lots, it is desirable but not absolutely required that the subdivision have more than one entrance/exit to/from the subdivision. The Planning Commission should consider the amount of existing county public road frontage and the configuration of the site in determining whether more than one entrance/exist is required for preliminary plat approval.
  - (k) Variances. Subject to the requirements and procedures of Section 1004 of this Ordinance, the Board of Commissioners may consider and approve, after application by the property owner and review by the Planning Commission, a variance to the provisions of this Section in unusual circumstances where the road or access requirement would pose undue hardship. In such instances, each lot for which such access easement is proposed based on undue hardship shall require the filing of a variance application and filing fee. The burden of proof is on the applicant to prove undue hardship.

**Sec. 602. Conformance to Adopted Major Thoroughfare and Other Plans.**

All roads and other features of the adopted comprehensive plan shall be platted by the subdivider in the location and, if any, to the dimensions indicated in the transportation element of the comprehensive plan or major thoroughfare plan adopted by the Warren County Board of Commissioners.

Any subdivision or development with property fronting on an existing county public road or state highway for which there exists defined plans by the Georgia Department of Transportation or Warren County may be required to provide road improvements associated with the defined plans. In such cases, in lieu of design and construction by the subdivider or developer, at the discretion of the Warren County Board of Commissioners, the subdivider or developer shall escrow the dollar equivalency of required improvements (including curbing, utility relocation, and drainage structures) as estimated by the developer and verified by Warren County. These funds shall be deposited in the appropriate road construction account prior to the approval of a final plat for a subdivision or prior to issuance of a development permit for a land development, or within 30 days of county or state award of construction contract, whichever occurs first.

**Sec. 603. Continuation of Existing Roads.**

Existing roads shall be continued at the same or greater width, but in no case less than the required width, when new roads are constructed.

**Sec. 604. Tract Plan for Future Roads and Phases.**

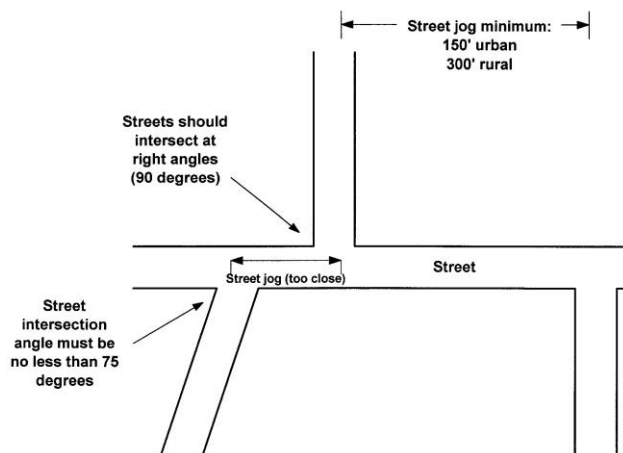
Where the land proposed to be subdivided or developed includes only part of the tract owned or intended for subdivision or development by the subdivider or land developer, a tentative plan of a future road system for the portion not slated for immediate subdivision or land development consideration shall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

**Sec. 605. Road Names.**

Road names shall be reviewed for correct usage and reasonable meanings consistent with the language used and are subject to the approval of the Board of Commissioners after recommendation from the Administrative Officer and 911 Coordinator. For instance, the term "parkway" shall not be appropriate for an undivided, two-lane road. Roads that are a continuation of or in alignment with existing named roads shall be given the name of the existing road. Names of new roads shall not duplicate or closely approximate those of existing roads in the County, regardless of the use of any suffix such as "road," "avenue," "boulevard," "drive," "place," "way," "court," or other designation.

**Sec. 606. Road Alignment, Intersections, and Jogs.**

Roads shall be aligned to join with planned or existing roads. Under normal conditions, roads shall be laid out so as to intersect as nearly as possible at right angles (90 degrees), but in no case shall such a road intersection be less than 75 degrees. Where offsets or jogs cannot be avoided, offset "T" intersections shall be separated by a minimum centerline offset of 300 feet.



Intersection Angles and Street Jogs

**Sec. 607. Development along State Highway.**

Where a major subdivision abuts or contains a state highway, the Planning Commission may require a road approximately parallel to and on each side of such right-of-way as a marginal access road, from which the lots shall be accessed instead of the state highway. In such cases, or where access to a state highway is otherwise not permitted, the Planning Commission shall require a ten-foot-wide, no-access easement be shown on the final plat and with a prohibition against travel across it.

**Sec. 608. Bridges.**

Bridges on public rights-of-way shall meet current American Association of State Highway and Transportation Officials standards or other standard adopted by the Warren County Board of Commissioners.

**Sec. 609. Driveways and Deceleration Lanes on State Routes.**

For subdivisions or land developments accessing state routes, the Georgia Department of Transportation may require a driveway permit and the installation of deceleration lanes per its *Regulations for Driveways and Encroachment Control*.

**Sec. 610. Road and Traffic Control Signs.**

Road and traffic control signs shall be provided and installed by the subdivider along new public roads. The Administrative Officer may require the installation of such signs by Warren County after the payment of fees to Warren County for the installation thereof.

All land developments shall be provided with traffic control signs (e.g., speed limits, direction of travel, etc.) if necessary, subject to the approval of the Administrative Officer.

**Sec. 611. Reference to Other Improvement Specifications.**

Minimum rights-of-ways, paving widths, and other requirements for improvement shall be in accordance with minimum standards specified in this Ordinance. In the absence of specific standards for roads and/or improvements within public rights-of-ways, however, such unspecified materials and methods of construction shall be in accordance with one or more of the following standards incorporated by reference:

Unless otherwise specifically set forth in this ordinance, all of the materials, methods of construction, and workmanship for the work covered in reference to street construction shall conform to one or more of the following as appropriate and applicable:

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

**Sec. 612. Alleys.**

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

**Sec. 613. Road Right-of-Way Widths and Miters.**

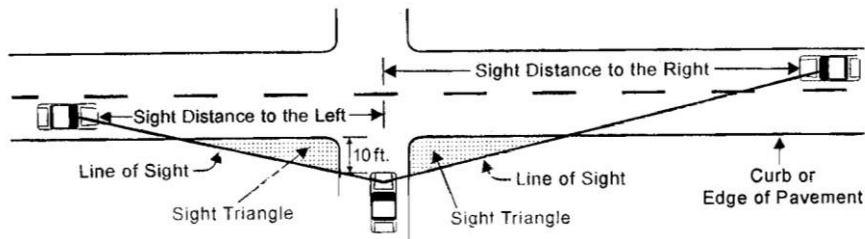
The minimum required right-of-way width for a new county public road or private road shall be sixty (60) feet. Wider rights-of-ways shall be considered and may be required by the Planning Commission for new county public roads serving commercial and industrial subdivisions, or in cases where the Transportation Element of the Warren County Comprehensive Plan or Major Thoroughfare Plan calls for a larger right-of-way for a road of the same functional classification proposed by the subdivider.

In addition to the specified right-of-way widths, Warren County may require right-of-way miters at all intersections to provide area for adequate utility location and maintenance. Twenty (20) foot miters shall be provided at the right-of-way intersection of any state highway. Ten (10) foot miters shall be provided at the right-of-way intersection of a county public road if less than an eighty (80) foot right-of-way exists.

Where existing County public roads abut a subdivision or land development, the right-of-way width shall be no less than eighty (80) feet, and the subdivider or developer shall dedicate to Warren County one-half of the required right-of-way, as measured from the centerline of the road, along the entire property frontage.

**Sec. 614. Sight Visibility Triangle.**

The sight Visibility Triangle provisions of the Warren County Land Use Ordinance shall apply to this Ordinance. The areas at the corners of an intersection of two or more roads, or at the intersection of a road and any driveway, must meet the Sight Visibility Triangle specifications set forth in the Warren County Land Use Ordinance, as amended, so as not to impair or impede a person's ability to observe other persons or traffic on the adjacent intersecting roadway and/or driveway. Where a right-of-way miter does not include all of a sight visibility triangle, the Administrative Officer may require a sight visibility triangle easement of appropriate size and area be shown on a final plat to prevent obstructions of sight visibility at said intersections.



**Sec. 615. County Road Pavement Width.**

Each new county public road installed by a subdivider or land developer shall be a minimum of twenty (20) feet in width, plus a four foot shoulder, for a total improved width of 28 feet for rural cross-sections involving roadside ditches. Where curb and gutter is provided, the minimum pavement width shall be twenty-eight (28) feet from back-of-curb to back-of curb.

In the case existing paved county public roads abutting a subdivision or land development, the pavement width shall be no less than the adopted standard for the county road, and the subdivider or developer shall if insufficient to meet that standard improve one-half of the required road pavement to Warren County as measured from the centerline of the road, along the entire property frontage.

**Sec. 616. Asphalt Road Base and Paving Specifications.**

The construction requirements for asphalt road shall be as follows:

- (a) Base material: graded aggregate base course
- (b) Depth of base: six inches compacted to 100 percent
- (c) Prime with RC 70 or MC 70; rate of 0.15 to 0.30 gallon per square yard; Prime shall be closed to all traffic, and left undisturbed for as long as necessary for the prime to thoroughly cure.
- (d) Surface: two inches per square yard of Type "H" or "F" hot mix asphalt concrete.

- (e) All work shall be done in accordance with the 1993 or the latest State Department of Transportation standard specifications.

**Sec. 617. Triple-Surface Treatment Road Paving Specifications.**

The construction requirements for triple surface treatment road shall be as follows:

- (a) Base materials: graded aggregate base course.
- (b) Depth of base: six inches compacted to 100 percent.
- (c) Primed with RC 70 or MC 70 bituminous asphalt.
- (d) Sanded and allowed to cure until penetration is completed.
- (e) Triple-surface treatment: This surface treatment consists of the applications of bituminous material, which is covered with specified sizes of aggregates.
  - 1. First course:
    - a. Spread asphalt CBAE at the rate of 0.21 to 0.34 gallon per square yard; or substitute AC 10 (or 20) spread rate 0.21 to 0.34 gallon per square yard.
    - b. Spread #5 washed stone, spread rate 0.41 to 0.53 cubic foot per square yard.
  - 2. Second course:
    - a. Spread asphalt CBAE at the rate of 0.15 to 0.27 gallon per square yard; or substitute AC 10 (or 20) spread rate 0.18 to 0.26 cubic foot per square yard.
    - b. Spread #7 washed stone with spread rate of 0.15 to 0.27 cubic foot per square yard.
  - 3. Third course:
    - a. Spread asphalt CBAE at rate of 0.15 to 0.24 gallon per square yard; or AC 10 (or 20) at a rate of 0.14 to 0.18 cubic foot per square yard.
    - b. Spread #89 washed stone at a rate of 0.14 to 0.18 cubic foot per square yard.
- (f) All work shall be done in accordance with the 1993 or the latest state Department of Transportation standard specifications.

**Sec. 618. Road Striping.**

Road striping shall be required and shall consist of furnishing and applying reflectorized traffic line paint in accordance with the following requirements:

- (a) Four-inch yellow stripe paint for centerline.
- (b) Four-inch white stripe for edge lines.
- (c) Rate of application is 20 gallons per mile (four mills thick).

All work shall be done in accordance with the 1993 or the latest state Department of Transportation standard specifications.

**Sec. 619. Road Drainage.**

Adequate drainage shall be provided on both sides of the roadbed in the form of roadside ditches with a culvert size of 18 inches or, if appropriate in urban or suburban areas or for commercial or industrial roads, curb and gutter. Where a road is crossed by a drainage way, culverts with side drains of 18 inches shall be required.

**Sec. 620. Road Banks.**

The banks of roads within required road rights-of-ways shall be stabilized and permanently vegetated.

**Sec. 621. Road Grade and Vertical Curves.**

Road grades shall be no greater than 12 percent slope, and vertical curves shall not be less than 200 feet in length. The minimum profile grade of roads shall be one (1) percent.

**Sec. 622. Cul-de-sac Streets and Turnarounds.**

Roads that dead-end shall terminate in a cul-de-sac or other approved turn-around. Roads that are planned to continue at some future date shall provide a temporary cul-de-sac as required by the Planning Commission. Except where topographic or other conditions make a greater length unavoidable, cul-de-sac or dead-end streets shall not be greater in length than 1,000 feet unless approved by the Planning Commission at preliminary plat approval.

The right-of-way radius of a cul-de-sac for residential roads shall be at least fifty (50) feet, and the pavement radius of a cul-de-sac shall be at least forty (40) feet. The right-of-way radius of a cul-de-sac for commercial and industrial roads shall be at least sixty (60) feet and the pavement radius of a cul-de-sac shall be at least fifty (50) feet.

**Sec. 623. Curb Radii.**

The curb-line radius at street intersections shall be at least twenty-five (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 forty (40) foot curb-line radius shall be provided.

**Sec. 624. Curb and Gutter.**

Roads shall not require curb and gutter so long as appropriate right-of-way and drainage improvements are provided in accordance with the provisions of this Ordinance. All curb and gutter shall conform to the following specifications:

- (a) Concrete shall be class "A" and have a minimum strength of 3,000 psi at 28 days.
- (b) The typical minimum section of vertical curb shall be 6 inches x 24 inches x 12 inches.

**Sec. 625. Sidewalks and Paths.**

Sidewalks shall have a minimum width of five (5) feet and shall be provided under the following conditions:

- (a) Sidewalks shall be installed in subdivisions with lots averaging less than 40,000 square feet in area, located within a mile from an existing or proposed school on both sides of any subdivision street.
- (b) The Planning Commission may require a subdivider to install, along the entire property frontage, sidewalks on roads leading to or going through commercial areas, school sites, places of public assembly, and other congested areas, or as may be otherwise determined by the Planning Commission or as specified in the County's comprehensive plan.
- (c) Sidewalks shall not be less than two (2) feet from street curbs or the edge of required pavement. The sidewalk location may be varied at the discretion of the Administrative Officer.
- (d) All driveway aprons over sidewalk areas shall be paved with concrete by the developer or builder.
- (e) Sidewalks shall be four (4) inches thick (depth of paving) concrete (3,000 psi at 28 days).
- (f) When sidewalks are required, the subdivider shall furnish and install all required sidewalk materials without cost to the County, in accordance with County Specifications.

As an alternative to sidewalks, developments in rural areas (outside of urban areas surrounding a municipality) may, with the approval of the Planning Commission, include common pedestrian paths constructed of pervious surfacing materials such as gravel, brick dust, mulch, or other similar surface. Such paths should follow routes that are desirable and appropriate for the individual landscape. An easement should be established, where feasible, in order to ensure the long-term accessibility of the path.

#### **Sec. 626. Street Lights.**

Street lights may be provided in accordance with County specifications by the developers of a subdivision prior to the approval of a final plat. Fixtures and standards/poles installed or used shall be approved by the County and by the utility company that will be responsible for the maintenance of the facilities. The fixtures shall be mounted no more than thirty (30) feet above the ground and shall have appropriate arm length or power to place light over the street. Post top luminaries may be permitted when approved by the Administrative Officer. Fixtures shall be located no more than five hundred (500) feet apart, unless approved by the Administrative Officer, and, when provided, at least one light shall be located at each public or private street intersection within the subdivision or land development.

The developer shall pay all costs for poles, fixtures and any other related items or materials necessary for the installation of street lights, as well as arrange an agreement with the utility company for complete maintenance of all installations. Warren County shall assume the responsibility and make the monthly payments to the power company for electrical energy for each street light only after these requirements have been accomplished and improvements accepted by the Board of Commissioners of Warren County. Maintenance and operation costs



of street lights will be assumed by Warren County no earlier than two years after lights have been installed.

**Sec. 627. Residential Driveways.**

All entrances or exists of any driveway from or to any state or federal highway shall be subject to the approval of the Georgia Department of Transportation. Along county roads, residential driveways shall be designed and constructed to the following standards:

- (a) Width: 12 feet minimum.
- (b) Spacing from road intersection: Minimum 40 feet.
- (c) Angle of intersection with street: Right angled (80 degrees to 100 degrees).
- (d) Drainage: As approved by the Administrative Officer (18 inch culvert typical).
- (e) Cross-drain at street: As approved by the Administrative Officer (18 inch culvert typical).
- (f) Locations: Driveways should be restricted to locations where movements into and out of them can occur in a safe and orderly manner.
- (g) Sidewalk transitions. Where a sidewalk is provided or planned, the driveway shall be designed and constructed with sidewalk transitions as appropriate.

**Sec. 628. Non-Residential Driveways.**

All entrances or exists of any driveway from or to any state or federal highway shall be subject to the approval of the Georgia Department of Transportation. Along county roads, nonresidential driveways shall be designed and constructed to the following standards:

- (a) Two-Way Width: 24 feet minimum and 32 feet maximum.
- (b) One-Way Width: 14 feet minimum and 18 feet maximum.
- (c) Spacing from street intersection: Minimum 50 feet.
- (d) Angle of intersection with street: Right angled (80 degrees to 100 degrees).
- (e) Drainage: As approved by the Administrative Officer (18 inch culvert typical).
- (f) Cross-drain at street: As approved by Administrative Officer (18 inch culvert typical).
- (g) Paving: Required per specifications adopted by Warren County.
- (h) Locations: Driveways should be restricted to locations where movements into and out of them can occur in a safe and orderly manner.
- (i) Sidewalk transitions. Where a sidewalk is provided or planned, the driveway shall be designed and constructed with sidewalk transitions as appropriate.

**Sec. 629. Construction Entrance/Exit.**

Construction entrances/exits onto hard surface public roads shall be improved with a minimum of six (6) inches of coarse aggregate (crushed stone) for a minimum width of twenty (20) feet and a minimum length of fifty (50) feet as approved by the Administrative Officer. It shall be a violation of this Ordinance to track mud and dirt onto County and state roads.

**Sec. 630. 911 Addresses.**

**Article VI, Access and Design Requirements for Roads**  
**Warren County Subdivision and Land Development Ordinance**

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All 911 address number requirements must be met by each principal structure along the road.

**ARTICLE VII  
PRIVATE ROADS**

- Sec. 701. When Permitted (*Amended September 12, 2006*)
- Sec. 702. Special Improvement Requirements.
- Sec. 703. Engineering Plans Required.
- Sec. 704. Standards for Private Roads.
- Sec. 705. Road Names and Signs.
- Sec. 706. Rights-of-ways.
- Sec. 707. Maintenance.
- Sec. 708. Specifications for Final Plats Involving Private Roads.
- Sec. 709. Purchaser's Acknowledgement.

**Sec. 701. When Permitted.** (*Amended September 12, 2006*)

- (a) Private roads may, upon application, and subject to the requirements of this Article, be permitted only for gated communities (i.e., residential areas containing at least thirty (30) lots and that restrict access to normally public spaces) and for subdivisions in the Conservation, Forest-Agriculture, Rural Residential and Scenic Corridor land use districts (as established in the Warren County Land Use Ordinance) containing ten (10) lots or less and where each lot contains an area of three (3) acres or more. Proposed private streets shall not be permitted if they do not include access to amenities or features that, by design or agreement, are intended for use by the general public. (*Amended September 12, 2006*)
- (b) Applications for approval of private roads shall be considered by the Planning Commission and approved or disapproved by the Board of Commissioners. Following a recommendation by the Administrative Officer, the Planning Commission shall consider the application and the Board of Commissioners may impose conditions on the approval of private roads to ensure various public purposes and to mitigate potential problems with private roads.
- (c) No final plat involving a private road shall be approved unless said final plat conforms to the requirements of this Article.
- (d) This section shall not be construed to prevent the installation of roads and driveways within private developments not involving the subdivision of land that remain under private ownership but which are unrestricted in terms of public access.
- (e) This Article shall not be construed to prevent the installation of gates on private driveways or private land developments.

**Sec. 702. Special Improvement Requirements.**

Whenever a gated community, as defined by this ordinance, is proposed to have roads or streets closed to through-traffic (i.e., private with access control), the Board of Commissioners shall require that the following improvements and provisions be reviewed, approved, and installed or erected in accordance with approved development plans:

- (a) A gate or guardhouse at the entrance to the private road or street;

- (b) A sign of appropriate size to identify the street or development is private.
- (c) Provisions are made to ensure that access at the entrance to the private road or street is not restricted to law enforcement officials and vehicles, emergency response officials and vehicles, postal delivery vehicles, and Warren County personnel and vehicles while conducting County business.

**Sec. 703. Engineering Plans Required.**

It shall be unlawful for any person to construct a new private road or alter an existing private road or to cause the same to be done without first obtaining approval of development plans and securing a development permit from the Administrative Officer in accordance with the requirements of this Ordinance.

**Sec. 704. Standards for Private Roads.** *(Amended September 12, 2006)*

All private roads shall be constructed to standards for county roads as specified in this Ordinance; provided, however, that for subdivisions in the Conservation, Forest-Agriculture, Rural Residential and Scenic Corridor land use districts (as established in the Warren County Land Use Ordinance) containing ten (10) lots or less and where each lot contains an area of three (3) acres or more, the requirement that the private road be paved in accordance with public road standards shall not apply. All other standards for county roads shall apply to such unpaved private roads within such subdivisions authorized by this Section, unless otherwise varied in accordance with the procedures for variances contained in this Subdivision and Land Development Ordinance.

**Sec. 705. Road Names and Signs.**

Private roads shall be named, subject to the approval of the Board of Commissioners after recommendation by the Administrative Officer and 911 Coordinator. The subdivider of land involving a private road shall install road signs with content containing the road name as approved by the Administrative Officer. The sign signifying the private road may be required by the Administrative Officer to be a different color than that of road signs provided for public roads, or designated "private" in order to distinguish maintenance responsibilities in the field.

**Sec. 706. Rights-of-ways.**

Right-of-ways for private roads shall be designated on final plats as general purpose public access and utility rights-of-ways, along with the name of said private road. Said private right-of-ways shall, at minimum, be of the same width as that required for the right-of-way of a county road. Right-of-ways for private roads shall not be included in any calculation of minimum lot size established by this Ordinance or any other Warren County Ordinance. In the cases of private roads, the right-of-way for the private road shall be drawn as its own discrete parcel to be dedicated to a private homeowners association (i.e., not shown to be a part of any lot).

**Sec. 707. Maintenance.**

The County shall not maintain, repair, resurface, rebuild, or otherwise improve roads, signs, drainage improvements or any other appurtenances within rights-of-ways established for private

roads. A private maintenance agreement recorded with the Warren County Clerk of the Superior Court shall be required for any private road and other improvements within rights-of-ways established for private roads. The maintenance agreement shall set out the distribution of expenses, remedies for non-compliance with the terms of the agreement, rights to the use of rights-of-ways, and other pertinent considerations. The maintenance agreement shall specifically include the following terms:

- (a) The maintenance agreement shall establish minimum annual assessments in an amount adequate to defray costs of ordinary maintenance and procedures for approval of additional needed assessments. The maintenance agreement shall also specify that the funds from such assessments will be held by a homeowners or property owners association in cases of a subdivision of five (5) or more lots fronting on a private road.
- (b) The maintenance agreement shall include a periodic maintenance schedule.
- (c) The maintenance agreement shall be enforceable by any property owner served by the private road.
- (d) The maintenance agreement shall establish a formula for assessing maintenance and repair costs equitably to property owners served by the private road.
- (e) The maintenance agreement shall run with the land.
- (f) The Board of Commissioners may, at its discretion, as a condition of approving private roads, require a performance bond and/or maintenance bond be submitted by the subdivider and held by a homeowners or property owners association, to be drawn from by the homeowners or property owners association as maintenance and repair needs may arise. Alternatively, where such association does not exist, the Board of Commissioners may require that the subdivider pay an amount of money as recommended by the Administrative Officer into an escrow account or other suitable account for the maintenance and repair of private roads and stormwater management improvements.

**Sec. 708. Specifications for Final Plats Involving Private Roads.**

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

- (a) Deed book and page reference to the recorded covenant required by this Article.
- (b) "WARNING, Warren County has no responsibility to build, improve, maintain, or otherwise service the private roads, drainage improvements, and other appurtenances contained within the rights-of-ways for private roads shown on this plat."
- (c) "Grant of Right-of-way. The right-of-way shown on this plat for private road(s) is hereby granted and said grant of rights shall be liberally construed to provide all necessary authority to Warren County, and to public or private utility companies serving the subdivision, for the installation and maintenance of utilities, including, but not limited to, electric lines, gas lines, telephone lines, water lines, sewer lines, cable television lines, and fiber optic cables, drainage improvements, together with the right to trim interfering trees and brush, together with a perpetual right of ingress and egress for installation, maintenance, and replacement of such lines.

\_\_\_\_\_ Signature  
of Property Owner”

**Sec. 709. Purchaser’s Acknowledgement.**

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

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

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

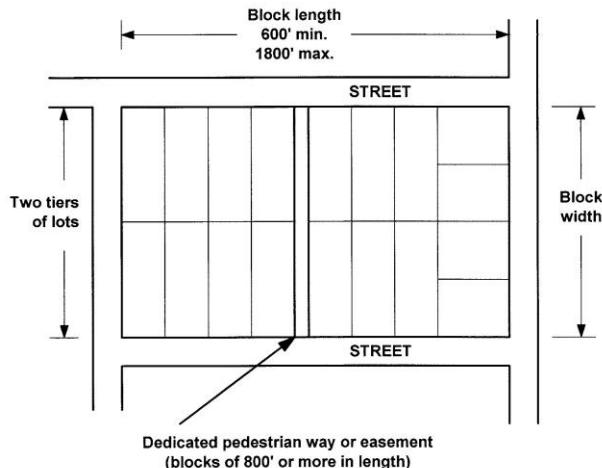
\_\_\_\_\_ Purchaser”

## ARTICLE VIII DESIGN REQUIREMENTS FOR BLOCKS AND LOTS

- Sec. 801. Block Lengths and Widths.
- Sec. 802. Lot Size, Width and Depth.
- Sec. 803. Lot Lines.
- Sec. 804. Double Frontage Lots.
- Sec. 805. Flag Lots.
- Sec. 806. Lot Remnants Not Permitted.
- Sec. 807. Monuments.

### **Sec. 801. Block Lengths and Widths.**

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



**Block Length, Block Width, and Pedestrian Way**

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

### **Sec. 802. Lot Size, Width, and Depth.**

Lots shall meet any minimum area requirements established by the Warren County Land Use Ordinance. Where individual septic tanks are permitted, lots shall meet minimum lot sizes to conform to health standards of the state of Georgia as approved by the Warren County Health Department (see Section 18.37 of the Warren County Code for residential lots), or the minimum lot size of the Warren County Land Use Ordinance, whichever is greater. Where another ordinance of Warren County establishes a minimum lot size, that minimum shall apply notwithstanding the provisions of this Section.

Residential lots should have a depth not greater than three (3) times the width of the lot at the building line, unless unusual circumstances make these limitations not practicable. Residential corner lots should have widths to meet adequate or required building setbacks from both abutting roads.

Commercial and industrial or other non-residential lots should be adequate to provide service areas and off-road parking suitable to use intended.

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

**Sec. 803. Lot Lines.**

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

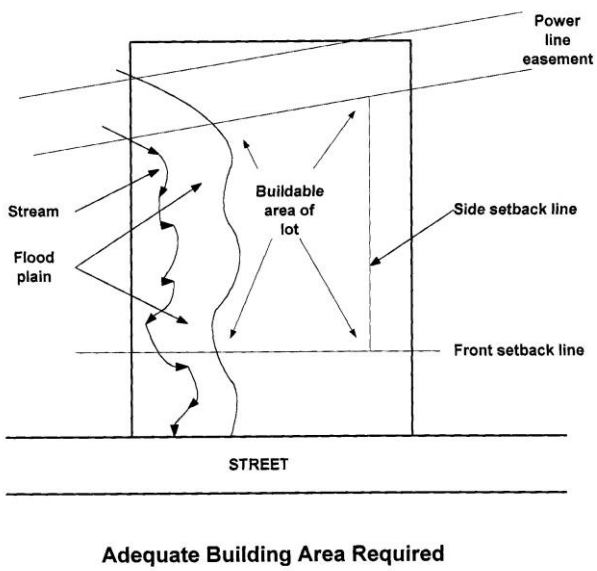
**Sec. 804. Double Frontage Lots.**

Double 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 no-access, 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.

**Sec. 805. Flag Lots.**

- (a) Intent. Flag lots, as defined in this Ordinance, are strongly discouraged. However, subdivisions designed with one or more flag lots may be approved where conditions of hardship make standard design or frontage impossible or impractical due to the configuration of the lot to be subdivided.
- (b) Denial if reasonable alternative exists. The Administrative Officer in the case of minor subdivisions and the Planning Commission in the case of other subdivisions shall have due cause to deny any plat that proposes any flag lot, when a reasonable alternative to such lot pattern is available.
- (c) Panhandle (flag pole) length restriction. If permitted, no flag lot shall be allowed to be platted that has a "panhandle" portion (i.e., portion that does not meet the required lot width) that is more than 400 feet in length.





- (d) Prohibition of abutting flag lots. If permitted, no flag lot shall abut another flag lot in any subdivision.

**Sec. 806. Lot Remnants Not Permitted.**

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

**Sec. 807. Monuments.**

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

**ARTICLE IX  
STORM DRAINAGE AND UTILITIES**

- Sec. 901. Easements.
- Sec. 902. Storm Drainage System.
- Sec. 903. Water System.
- Sec. 904. Fire Hydrants.
- Sec. 905. Sanitary Sewerage System.
- Sec. 906. Utilities.

**Sec. 901. Easements.**

Where a subdivision or land development is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water or drainage easement of at least of twenty (20) feet in width. Easements for storm pipes shall be at least fifteen (15) feet wide, and all easements shall be provided for all drainage facilities as approved by the Administrative Officer. Where easements are needed for utility locations, they shall be provided by the subdivider or land developer to the appropriate utility provider. Easements having a minimum width of fifteen (15) feet shall be provided where required for utility lines and underground mains and cables. Where easements are needed for public water and/or sewer lines, they shall be provided as determined appropriate by the Administrative Officer but shall be no less than twenty (20) feet wide. All easements required pursuant to this Section shall be shown on any required preliminary plat, , final plat , and development plan.

**Sec. 902. Storm Drainage System.**

No land shall be platted or developed except in accordance with storm water management standards provided in this Ordinance and any additional specifications adopted by the Board of Commissioners. At a minimum, storm drainage in subdivisions and land developments shall meet the following requirements.

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

1. Every subdivision or land development shall be served by storm drainage facilities, including drains, sewers, catch basins, culverts and other facilities as required by standards and specifications of the Administrative Officer.
2. All drainage facilities shall be so designed to serve the entire drainage area in which these facilities are located. All road drains serving lots in the subdivision shall be installed by the subdivider. A formula may be developed by the Administrative Officer to provide for a sharing of the cost of other drainage facilities needed to serve the subdivision when certain of the required drainage facilities are necessary to serve other subdivisions or land developments in the same drainage basin.
3. Storm sewers, where required, shall be designed by the Rational Method, or other methods proposed by a professional engineer accepted by the Administrative Officer as

a substitute for the Rational Method, and a copy of design computations shall be submitted along with required plans. Capacity for a 25-year storm or rain shall be provided for all road drainage structures such as catch basins, inlets cross drains, etc, except that along state rights-of-ways the design shall meet standards of the Georgia Department of Transportation.

4. All surface water drainage shall be transported to existing storm sewers or to drainage facilities approved by the Administrative Officer. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot or land development site to adjacent lots, land development sites, or vacant properties. Storm water shall not be discharged directly to perennial streams. It shall be directed toward natural drainages. If water must be discharged to a stream, the water quality flowing into the stream must meet or exceed the water quality in the receiving waters. The water quantity flowing into the stream must not disrupt or degrade the ecology of the water body.
5. Whenever drainage ditches are used, such ditches shall retain natural design characteristics and be so designed that they do not present a hazard to life and safety or create erosion problems.
6. All drainage features shall be in accordance with standards and specifications of the Board of Commissioners, and no extension shall be made from the road drainage through the abutting property without approval of the Administrative Officer.
7. When the construction of a proposed public road makes it necessary to cross a storm drain, the developer shall provide and install the required size and length of an acceptable grade of pipe.
  - (a) In cases where the developer or subdivider chooses not to develop the land through which the drain runs, then the trench may be left open; provided, 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 Administrative Officer and no building will be approved unless the installation meets the requirements of the Administrative Officer.
  - (c) Notwithstanding the above controls, the Administrative Officer may refuse to issue building approval on any lot or lots where the land is subject to floods or where, in the opinion of the Administrative Officer, the elevations of the property are such that a building could not be properly maintained on the lot.

**Sec. 903. Water System.**

All water mains, where provided, shall be designed by a professional engineer and installed along with a service connection for each lot or land development and be in operating condition prior to final plat approval, if required, and paving installation. All pipes, valves, and other

components shall conform to County Health Department regulations, or city utility specifications if served by a municipal water supply.

An applicant may propose, and the Health Department and Warren County may approve, water supply to be served by a community water system. In such cases of a community water system, the system shall be designed by a Professional Engineer, and all main lines of a community water system shall be six (6) inches or greater in diameter. Individual connection shall be made to each lot, and pipe sizes shall not be less than three-fourths of an inch in diameter. System construction in subdivisions shall have a minimum pressure of 30 pounds per square inch at each lot and shall meet the requirements of Georgia Safe Drinking Water Act of 1977 following the established policies, procedures, requirements and standards included in Rules for Safe Drinking Water, Chapter 391-3-5, as may be revised from time to time.

Where water systems are provided, it is recommended that they be looped. Where a public or community water supply does not exist, the Health Department may authorize the installation of individual wells for each lot or land development. In such instances, the well shall be installed prior to approval of a final plat, if required.

**Sec. 904. Fire Hydrants.**

Fire hydrants, if required, shall be located and set in accordance with County specifications. Fire hydrants shall be required for all nonresidential land developments and all subdivisions where a municipal, county, or community water supply exists. In such cases where a municipal, county, or community water supply exists, fire hydrants with appropriate water pressure at appropriate intervals throughout the subdivision or land development shall be provided by the subdivider or land developer as required by the County Fire Department. Fire hydrants, if required, shall be located no more than 1,000 feet apart. Hydrants, fittings, valves and fire department connections shall be approved by the Fire Department. Fire department connections shall be not less than 18 inches or more than 36 inches above the level of the adjoining ground or paving. The thread of such connections shall be uniform with that used by the Fire Department. To eliminate repavement of roads, all underground utilities for fire hydrants, together with the fire hydrants themselves, and all other supply improvements shall be installed before any final paving of a road within the right-of-way shared by such underground utilities.

**Sec. 905. Sanitary Sewerage System.**

When in the written opinion of the Warren County Health Department, public sanitary sewers are within reasonable access of the subdivision or land development, the subdivider or land developer shall provide sanitary sewer services designed by a professional engineer licensed in the State of Georgia to each lot within the bounds of the subdivision, or to the land development. All road sewers, where required, serving lots in the subdivision shall be installed by the subdivider. A formula may be developed by the Administrative Officer to provide for a sharing of the costs of other sewer facilities needed to serve the subdivision or land development when certain of the required sewer facilities are necessary to serve other subdivisions or land developments in the same drainage basin.

**Article IX, Storm Drainage and Utilities**  
**Warren County Subdivision and Land Development Ordinance**

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When in the written opinion of the Warren County Health Department, a public sanitary sewer is not accessible, an alternate method of sewage disposal for each lot or the land development may be used when in compliance with the standards of the Warren County Health Department (also see Chapter 18, Article II, of the Warren County Code), if accepted by the Planning Commission. If public sewerage is not available, but is expected to be available within a reasonable time period after completion of the subdivision or land development, an alternate method for sewage disposal for individual lots or the land development will be required on an interim basis. In such instances, unless otherwise determined by the Planning Commission, the developer will be required to construct a complete sanitary sewer system for the subdivision or land development, including outfall lines, road 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 owner of the water system if applicable and the Administrative Officer.

**Sec. 906. Utilities.**

All utility improvements within subdivisions and developments shall be located within the right-of-way of a public street or, if permitted, a private street, or within an easement designated for such use meeting specifications of this Ordinance.

The electric system and any other underground utility system, when it is provided in a subdivision or land development, shall be installed along with service connections before any paving of roads. All utility facilities, including but not limited to electric power, telephone, and cable television, shall be located underground throughout the subdivision or land development.

**ARTICLE X  
 ADMINISTRATIVE AND LEGAL STATUS PROVISIONS**

- Sec. 1001. Administration and Interpretation.
- Sec. 1002. Fees.
- Sec. 1003. Additional Specifications.
- Sec. 1004. Variances.
- Sec. 1005. Administrative Appeal.
- Sec. 1006. Inspections.
- Sec. 1007. Enforcement, Violations, Remedies, and Penalties.
- Sec. 1008. Amendment.
- Sec. 1009. Severability.
- Sec. 1010. Liability.
- Sec. 1011. Repeal and Amendment of Previous Ordinances.
- Sec. 1012. Effective Date.

**Sec. 1001. Administration and Interpretation.**

The Administrative Officer shall administer and interpret the provisions of this Ordinance; provided, however, the Board of Commissioners may, in its discretion, overrule any action taken or interpretation of this Ordinance by the Administrative Officer.

**Sec. 1002. Fees.**

The fees for various applications required by this Ordinance shall be as follows:

<b>Type of Application</b>	<b>Fee (\$)</b>
Preliminary plat, major subdivision, 2-29 lots	\$200
Preliminary plat, major subdivision, 30 or more lots	\$350 plus \$10 per lot
Development plan approval, office, institutional, commercial, or industrial development, 1-5 acres	\$100 plus soil erosion fees
Development plan approval, office, institutional, commercial, or industrial development, more than 5 acres	\$250 plus soil erosion fees
Development inspection	\$35 per inspection
Final plat approval, major or minor subdivisions including boundary line adjustments and lot combinations (including recording fees)	\$125
Revision to final plat approval, major or minor subdivision, (including re-recording fees)	\$75
Mortgage lot plat of record (See Section 414)	\$50
Development of regional impact (DRI) (see Section 513)	No fees are required by Warren County; see state and regional filing requirements

**Article X, Administrative and Legal Status Provisions**  
**Warren County Subdivision and Land Development Ordinance**

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Application submitted after land-disturbing activity, sitedevelopment, or building has commenced or lots offered for sale without requisite approval or in violation of county regulations	Double the fee for specific type of application
Request for acceptance of public lands and improvements	\$100
Variance (each provision requested to be varied)	\$300
Administrative appeal (see Section 1005)	\$250

**Sec. 1003. Additional Specifications.**

The Administrative Officer is hereby authorized to prepare and recommend standard drawings and constructions specifications for private and public improvements not specified in this Ordinance. Upon their adoption by the Warren County Board of Commissioners, they shall become mandatory.

**Sec. 1004. Variances.**

- (a) Standard for Approval of Variances. Upon application by the subdivider or land developer and after review by the Planning Commission, the Warren County Board of Commissioners shall be authorized to grant a variance or variances upon a showing that each of the following criteria has been met:
1. There are unusual, exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other property in the same vicinity or use district, and such conditions are not the result of the owner's or occupant's own actions. Such conditions may include topography, unique natural conditions, surroundings of the subject property, or the size or peculiar shape of the lot.
  2. As a result of such unusual circumstance or conditions, there is an unnecessary hardship or practical difficulties that render it difficult to carry out the provisions of this Ordinance.
  3. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located, and the variance will be in harmony with the general purposes and intent of the provisions of this Ordinance.
  4. The variance approved is the minimum variance that will reasonably make possible the legal use of the lots, land, building or structure
- (b) Procedure for Obtaining Variance.
1. Application. Application for a variance shall be filed with the Administrator on a form prescribed by the County.

**Article X, Administrative and Legal Status Provisions**  
**Warren County Subdivision and Land Development Ordinance**

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2. Hearing before Planning Commission. Upon receiving a completed application for a variance, the Administrative Officer shall arrange for the application to be scheduled for public hearing before the Planning Commission. The applicant shall be notified in writing of the date, time, and place of the hearing, by written mail, personal service, or facsimile, at least fifteen (15) days prior to the public hearing before the Planning Commission. The public shall be given notice of the date, time, place, and nature of the hearing by publication in the County's legal organ at least fifteen (15) days prior to the public hearing. At all public hearings, the applicant shall have an opportunity, personally or through counsel, to present evidence and argument in support of his or her application for a variance.
  3. Recommendations and Report to Board. The Planning Commission shall review the application at the advertised public hearing. The Planning Commission shall determine whether the evidence supports a finding that the required criteria have been met and recommend approval, conditional approval, or denial of the application to the Warren County Board of Commissioners. The Administrative Officer may write a report and provide findings or recommendations, including conditions of approval.
  4. Hearing before Board of Commissioners. The Warren County Board of Commissioners shall consider and act upon (i.e., approve, conditionally approve, or deny) the variance application after conducting a public hearing and considering the recommendations of the Planning Commission and, if provided, those findings and recommendations of the Administrative Officer. The applicant shall be notified in writing of the date, time, and place of the hearing held by the Warren County Board of Commissioners, by written mail, personal service, or facsimile, at least fifteen (15) days prior to the public hearing before the Board. The public shall be given notice of the date, time, place, and nature of the hearing by publication in the County's legal organ at least fifteen (15) days prior to the public hearing. At the public hearing, the applicant shall have an opportunity, personally or through counsel, to present evidence and argument in support of his or her application for a variance.
  5. Posted Notice of Hearing. In addition to any notice of hearing already specified in this Section, at least fifteen (15) days prior to any public hearing referenced in this Section, the County shall post at least one (1) sign in a conspicuous location on the property where a variance is sought, stating the date, time, and place of the hearing and specifying the name and address of the current owner of the property, the location of the property, the present land use district of the property, and the nature of the proposed variance. The sign shall remain on the property until the public hearing is held and must be at least four (4) square feet in size. The County is authorized to charge the applicant a fee for any such sign to cover any costs incurred for its preparation, installation, and removal.
- (c) Compliance with Conditions of Variance and Approved Plans. Compliance with any conditions imposed in the Board of Commissioner's approval of a variance, and adherence to the submitted plans, as approved, is required. Any departure from



such conditions of approval and approved plans constitutes a violation of this Ordinance and invalidates any variance issued subject to such conditions.

**Sec. 1005. Administrative Appeal.**

Any person aggrieved by an interpretation or decision of the Administrative Officer or Administrative Officer in the administration or enforcement of this Ordinance may file an appeal to the Warren County Board of Commissioners. Any decision of the Planning Commission under the terms of this Ordinance may be appealed to the Warren County Board of Commissioners.

If any person desires to appeal a decision or action of the Planning Commission, or the Administrative Officer in the administration or enforcement of this Ordinance, he or she shall file an appeal application with the Administrative Officer within 30 days of the date of the action or decision of the Planning Commission or the Administrative Officer being appealed. Upon receipt of said application, the Administrative Officer shall arrange a date and time before the Warren County Board of Commissioners on which the appeal shall be heard and shall notify the applicant in writing by first class mail. The application for an appeal shall include specific information regarding the nature of the appeal, the basis for the appeal, statute or code references, and supporting documentation submitted with the appeal application.

**Sec. 1006. Inspections.**

The Administrative Officer or his designee and any other officer of Warren County charged with responsibility for administration or enforcement of this Ordinance shall be authorized to inspect premises proposed for subdivision or land development, including any improvements within such subdivision or land development, to determine compliance with the requirements of this Ordinance and other laws and regulations of Warren County.

No person shall refuse entry or access to any person authorized to conduct inspections who presents appropriate credentials for same, nor shall any person obstruct, hamper or interfere with any such person while in the process of carrying out his official duties.

The Administrative Officer is authorized to establish procedures for inspection of land development activity at various intervals in the development process, including without limitation inspection procedures for erosion control, the initiating of grading or land-disturbing activity, installation of on-site sewage disposal systems or sanitary sewer, installation of storm drainage pipe, detention, or other storm water facilities, and installation of street curbing and gutter, road sub-grade, base, or paving.

**Sec. 1007. Enforcement, Violations, Remedies, and Penalties.**

- (a) Generally. Any person who violates the provisions of this Ordinance or the requirements of an approved plat, development plan or permit is subject to any or all of the enforcement actions and remedies described in this Section.
- (b) Notice of Violation. If the Administrative Officer or his designee determines that an applicant or other responsible person has failed to comply with any provision of this Ordinance or any term or conditions of a permit, approved plat or development plan,

he shall issue a written Notice of Violation to such applicant or other responsible person. Said Notice of Violation may be issued prior to or concurrent with the issuance of a stop work order. Where a person is engaged in activity covered by this Ordinance without having first secured the appropriate permit therefor, the notice of violation shall be served on the owner or agent of the owner of the property where the activity is taking place.

- (c) Content of Notice of Violation. Each Notice of Violation shall contain the following:
1. The name and address of the owner, applicant, or other person responsible for the site where the violation occurred or is occurring;
  2. The address or other description of the site where the violation occurred or is occurring;
  3. A statement specifying the nature of the violation;
  4. A description of the remedial measures necessary to correct the violation;
  5. The date for the completion of such remedial measures, after which further enforcement action will be taken; and
  6. A statement of the penalty or penalties that may be assessed against the person to whom the Notice of Violation is directed.
- (d) Stop Work Order. Upon learning or discovering a violation of this Ordinance or any approved site plan or permit issued pursuant to this Ordinance, the Administrative Officer or his designee may immediately issue a Stop Work Order which forbids all further work at the job site until the Stop Work Order is withdrawn or otherwise removed. The Stop Work Order shall be posted on the job site and mailed to the applicant at the address shown on the permit or approved site plan. The Stop Work Order shall remain in effect until the remedial measures set forth in the Notice of Violation have been taken or any violation has otherwise been corrected to the satisfaction of the Administrative Officer; provided, however, the Administrative Officer may withdraw or modify any Stop Work Order to enable the applicant to take necessary remedial measures to cure any such violation.
- (e) Failure of Remedial Measures. In the event the remedial measures described in the Notice of Violation have not been completed by the date set forth for such completion in the Notice of Violation, any one or more actions or penalties described in this Section as appropriate may be taken or assessed against the person to whom the Notice of Violation was directed and/or the property where the violation occurred or is occurring.
- (f) Withholding, Modification, Revocation, or Suspension of Approvals or Pending Approvals. The Administrative Officer or his designee may at any time refuse to issue, revoke, modify, or suspend a plat, plan, or permit for the building or other development activity or improvements constructed or being constructed on the site in violation of this Ordinance until the applicant or other responsible person has taken the remedial measures set forth in the Notice of Violation or has otherwise cured the violations described therein. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the Notice of Violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the enforcement officer may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

**Article X, Administrative and Legal Status Provisions**  
**Warren County Subdivision and Land Development Ordinance**

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- (g) Withholding of Utility Service. The Administrative Officer or his designee may request or direct any utility service provider to withhold utility service to any property on which a violation is alleged to have occurred.
- (h) Citation. The Administrative Officer or his designee shall have authority to issue citations for violations of this Ordinance and to prosecute such violations before a court of competent jurisdiction.
- (i) Penalty for Violating Ordinance. Any person who violates or fails to comply with any provision of this Ordinance, or any plat, development plan or permit issued pursuant to this Ordinance, shall be punished by a fine not exceeding \$1,000.00 or by imprisonment not exceeding sixty (60) days, or both, for each such violation or failure to comply hereunder. Each day any violation of this Ordinance shall continue shall constitute a separate offense. Any violation or failure to comply that continues for more than one day shall constitute a public nuisance.

**Sec. 1008. Amendment.**

The Board of Commissioners may amend this Ordinance in a manner consistent with Georgia law. Before enacting such amendment to this Ordinance, the Planning Commission shall provide a recommendation on the proposed amendment. The Warren County Board of Commissioners shall hold a public hearing thereon, notice of which shall be published at least fifteen (15) days prior to such hearing in the County's legal organ or a newspaper of general circulation in the County.

**Sec. 1009. Severability.**

Should a court of competent jurisdiction find any provision of this Ordinance to be invalid or unenforceable, such invalid or unenforceable provision shall be severed from this Ordinance and shall not affect the validity or enforceability of the remainder of this Ordinance, which shall remain in full force and effect.

**Sec. 1010. Liability.**

Neither the approval of a plat or development plan under the provisions of this Ordinance nor the compliance with the provisions of this Ordinance shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law; provided, however, nothing in this Ordinance shall be construed to impose any liability upon the County for damage to any person or property.

**Sec. 1011. Repeal and Amendment of Previous Ordinances.**

All Ordinances or parts thereof having the same purpose or subject matter are hereby repealed. Specifically, Chapter 30, Article III, "County Road Acceptance," Division 2, "Construction Specifications," is hereby repealed (i.e., Sections 30-76, 30-77, and 30-78 of the Warren County Code), and references to said provisions in other parts of said Chapter shall refer to this Ordinance for such construction specifications.

**Sec. 1012. Effective Date.**

**Article X, Administrative and Legal Status Provisions**  
**Warren County Subdivision and Land Development Ordinance**

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

\_\_\_\_\_  
Attested

\_\_\_\_\_  
Chairman, Board of Commissioners

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

Date of Adoption: January 10, 2006

**INDEX**  
**SUBDIVISION AND LAND DEVELOPMENT**  
**ORDINANCE**  
**WARREN COUNTY**

<b>Subject</b>	<b>Section No.</b>	<b>Page No.</b>
Access, by easement only	601	32
Access, number of entrances for 50 lots or more	601	32
Access, to roads	601	31
Administration	1001	52
Addresses, assignment of (911)	630	40
Administrative Officer, authority	401	12
Alleys	612	35
Amendment of regulations	1008	57
American Association of State Highway and Transportation Officials	608	35
Appeal, administrative	1005	54
Application, pre-application conference	501	16
Application, fees	1002	52
Block, length of	801	45
Block, width of	801	45
Bond, maintenance (see also subdivision improvement guarantee)	514	24
Bond, performance	514	24
Boundary line adjustments	522	29
Bridges	608	35
Burial of materials	413	14
Construction entrance/exit	629	40
Cemetery plots, exempt from plat approval	411	14
Certificate, of owner and dedication, on final plat required	515	25
Certificate, of final approval, on final plat required	515	26
Certificate, of health department approval, on final plat required	515	26
Certificate, surveyor, on final plat required	515	25
Comprehensive plan, coordination with at pre-application stage	501	16
Culvert size, for crossing roadside ditches	519	38
Curb and gutter	624	38
Curb radii	623	38
Deceleration lanes	609	35
Definitions	302	3
Dedications of public improvements	519	27
Development of Regional Impact	513	23
Drainage, storm system	902	48
Driveways, nonresidential	628	40
Driveways, residential	627	40
Easements	901	48

**Index, Subdivision and Land Development Ordinance**

---

Easements, pedestrian, required by Planning Commission	801	45
Enforcement	1007	55
Environmental Regulations, reference to	202	2
Fees, for applications and permits	1002	52
Fire hydrants	904	50
Frontage, lot, minimum required	601	31

<b>Subject</b>	<b>Section No.</b>	<b>Page No.</b>
Frontage, subdivision, minimum required	601	31
Gated community, requirements for	702	41
Georgia Department of Transportation, review of plats	204	2
Georgia Plat Act (O.C.G.A. 15-6-67)	807	47
Groundwater recharge areas, reference to regulations	202	2
Highway, state, development along	607	34
Highway, state, subdivision along	204	2
Homeowners association, dedication of private roads to	706	42
Improvements required, additional specifications	1003	53
Indemnity	609	21
Inspections	1006	55
Inspections, development, fee for	1002	52
Interpretation	1001	52
Lot, access to road	601	31
Lot, combinations	522	29
Lot, on cul-de-sac, minimum frontage required	601	31
Lot, depth of	802	45
Lot, double frontage	804	46
Lot, flag	805	46
Lot, lines	803	46
Lot, remnants not permitted	806	47
Lot, size of	802	45
Lot, width of	802	45
Lots, mortgage	414	15
Lots, mortgage, exempt from plat approval	411	14
Manual on Uniform Traffic Control Devices for Streets and Highways	611	35
Monuments	807	47
On-Site Sewage Management System, reference to regulations	203	2
Paths	625	39
Penalties	1007	55
Permits, building and other	407	13
Permit, development, exemption from	412	14
Permit, development, issuance	511	22
Permit, development, responsibilities after issuance	512	22
Permit, development, posting on development site	512	22

**Index, Subdivision and Land Development Ordinance**

---

Plan, major thoroughfare, conformance with required	602	33
Plan, major thoroughfare, specifications for right of way widths	613	35
Plan, for future phases and future roads required	604	33
Planning Commission, access, approval of	601	32
Planning Commission, authority	402	12
Planning Commission, regarding sidewalk requirements	625	39
Planning Commission, review of preliminary plat	505	20
Plans, as-built required	Table 5.1	17
Plans, as-built drawings required	514	25
Plans, development, additional specifications	1003	53
Plans, development, exemption from requirements	412	14
Plans, development, required	409	13

<b>Subject</b>	<b>Section No.</b>	<b>Page No.</b>
Plans, development, review and approval	510	22
Plans, development, submittal	508	21
Plans, grading, as part of development plans	508	21
Plans, soil erosion, as part of development plans	508	21
Plans, utilities, as part of development plans	508	21
Plans, for roads, as part of development plans	508	21
Plat approval, exemptions	411	14
Plat, final, action on	516	26
Plat, final, application for approval	514	24
Plat, final, distribution of after recording	523	29
Plat, final, recording of	517	27
Plat, final, required	409	13
Plat, final, specifications	503	17
Plat, final, specifications and certificates	515	25
Plat, final, specifications when private roads are involved	708	43
Plat, preliminary, amendment after approval	507	21
Plat, preliminary, application requirements	502	16
Plat, preliminary, duration of approval	506	20
Plat, preliminary, required	409	13
Plat, preliminary, review by other agencies	504	20
Plat, preliminary, review by Planning Commission	505	20
Plat, preliminary, specifications	503	17
Plat, recording (see also plat, final, recording of)	410	14
Purposes, of regulations	102	1
Rational method, for storm sewer design	902	48
Remedies	1007	55
Road, alignment of	606	34
Road, banks	620	38
Road, cul-de-sac	622	38

**Index, Subdivision and Land Development Ordinance**

Road, curb and gutter	624	38
Road, drainage	619	38
Road, frontage on	601	31
Road, lighting	626	39
Road, grade	621	38
Road, intersections	606	34
Road, jogs	606	34
Road, names of	605	34
Road, pavement width	615	36
Road, paving specifications, asphalt	616	37
Road, paving specifications, triple surface treatment	617	37
Road, right of way and miters	613	35
Road, signs for	610	35
Road, striping	618	37
Road, turnarounds	622	38
Road, vertical curves	621	38
Roads, existing, continuation of	603	33
Roads, private, Board of Commissioners discretion	707	43
<b>Subject</b>	<b>Section No.</b>	<b>Page No.</b>
Roads, private, dedication to Homeowners association	706	42
Roads, private, maintenance and maintenance agreement	707	42
Roads, private, naming of	705	42
Roads, private, land use districts permitted in	701	41
Roads, private, plans required	703	42
Roads, private, purchaser's acknowledgment	709	43
Roads, private, right of ways	706	42
Roads, private, signs	705	42
Roads, private, special improvement requirements	702	41
Roads, private, specifications for final plats	708	43
Roads, private, standards for	704	42
Roads, private, when allowed	701	41
Roads, public, dedication of	519	27
Roads, public, dedication of	408	13
Roads, reference to other improvement specifications	611	35
Rules of State Board of Registration for Professional Engineers & Land Surveyors	807	47
Sewerage, sanitary system	905	50
Sight visibility triangle	614	36
Sidewalks	625	39
Signs, traffic control	610	35
Soil Erosion and Sedimentation Control, reference to regulations	201	2
Soil test, required for plat and plan approval	Table 5.1	17
Standard drawings and specifications, submission of	508	21



**Index, Subdivision and Land Development Ordinance**

---

Subdivision of land, generally	405	13
Subdivision improvement guarantees	518	27
Subdivisions, "chain"	521	28
Subdivisions, major, lot access	601	32
Subdivisions, minor	520	27
Subdivisions, minor, limitations on	521	28
Subdivisions, minor, lot access	601	32
Utilities	906	51
Utility, electric, approval for final plat	Table 5.1	17
Title, certificate of	Table 5.1	17
Topography, requirements for	Table 5.2	19
Variances	1004	53
Variances, with regard to access requirements	601	32
Vicinity map, required for plats and plans	Table 5.2	18
Violations	1007	55
Warranty deed, required for dedication of roads/ public places	Table 5.1	17
Warranty deed, required for dedication of roads/ public places	519	27
Water supply watersheds, reference to regulations	202	2
Water system	903	49
Wetlands, reference to regulations	202	2