

SUBDIVISION REGULATIONS TROUP COUNTY GEORGIA



Adopted by Troup County Board of Commissioners

Adopted April 18, 2006

Amended and adopted July 1st, 2008

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ARTICLE I SHORT TITLE, PURPOSE, JURISDICTION

Sec. A. Title

These regulations shall officially be known, cited and referred to as the Subdivision Regulations of Troup County (hereinafter “these regulations”).

Sec. B Authority

As provided by the constitution of the State of Georgia of 1983, the Troup County Board of Commissioners is empowered to provide for the regulation of division of land.

Sec. C. Purposes

These regulations are adopted for the following purposes:

1. To encourage the development of an economically sound and stable community so as to conserve and protect the natural, economic and scenic resources of the county.
2. To assure the provision of required streets, utilities and any other facilities and services to residential subdivision developments.
3. To ensure the adequate provision of safe and convenient access and circulation, both vehicular and pedestrian and to help insure that all lots will be accessible to fire fighting equipment and other emergency and service vehicles.
4. To ensure adequate drainage by providing for the proper layout of streets and lots.
5. To promote a safe and healthy environment.
6. To encourage the wise development of the community in accordance with the adopted land use plan.

Sec. D. Jurisdiction.

From and after the date of the adoption, these regulations shall govern the subdivision of all land within the unincorporated area of Troup County.

Any owner of land within said jurisdiction wishing to subdivide land shall submit to the Building Zoning and Planning Department of Troup County, Georgia, a plat of the subdivision that shall conform to all requirements set forth in these regulations. No plat of a subdivision, lying within such territory or part thereof, shall be recorded in the office of the Clerk of Superior Court of Troup County and no subdivider shall proceed with the improvement or sale of lots in a

subdivision until such subdivision plat shall have been approved by the Building and Zoning Department.

ARTICLE II DEFINITIONS

For the purposes of these regulations, which shall be known as the “Troup County Subdivision Regulations,” certain words used herein are defined. Words used in the present tense include the future tense; words used in the singular include the plural and words used in the plural include the singular; the word “shall” is mandatory and the word “may” is permissive.

Sec. A. Alley

A public or private way permanently reserved as a secondary means of access to abutting property.

Sec. B. Applicant

The owner/owners of land proposed to be subdivided or his representative who shall have express written authority to act on behalf of the owner. Consent shall be required from the legal owner of the premises.

Sec. C. Block

A piece or parcel of land entirely surrounded by public highways, public properties, roads or streets, other than alleys or easements. In cases where the platting is incomplete or disconnected, the subdivider may determine the outline of the block.

Sec. D. Bond, Maintenance

Any form of security (including a cash deposit, surety bond or letter of credit) obligating funds for the purpose of insuring the maintenance of required and approved improvements to a subdivision.

Sec. E. Bond, Performance

Any form of security (including a cash deposit, surety bond or letter of credit) obligating funds for the purpose of insuring the completion of required and approved improvements to a subdivision.

Sec. F. Building Setback Line

The distance as measured perpendicularly from either the front, side or rear property line to the principal building on the parcel.

Sec. G. Comprehensive Plan

The adopted official statement of the Troup County Board of Commissioners that sets forth (in words, maps, illustrations, and/or tables) goals, policies and guidelines intended to direct the present and future physical, social, and economic development that occurs and includes a unified physical design for the public and private development of land and water.

Sec. H. County Commissioners

The Board of Commissioners of Troup County, Georgia.

Sec. I. County Engineer

A person appointed by Troup County Board of Commissioners as the Troup County Engineer.

Sec. J. County Inspector

A qualified person or persons designated by the county commissioners to review specifications and inspect construction.

Sec. K. Cul-de-sac

A street intersecting another at only end and designed to be permanently terminated by a vehicular turnaround as specified in these regulations.

Sec. L. Easement

A grant by a property owner of the use of land by the public, a corporation, or persons for purposes such as the construction, maintenance of, or access to utilities, drainage ways or roadways. An easement may be a portion of a lot, generally along lot lines, for the purpose of access to maintain utility structures, drainage and other purposes. No permanent structures shall be built by the owner on said easements. An easement cannot be used for access to other private property in lieu of public road frontage except as specifically allowed in the Zoning Ordinance.

Sec. M. Lot

A unit of land in a subdivision intended for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the right-of-way of a road may be included.

Sec. N Lot, Flag

Flag lots are considered to be large lots, not meeting minimum lot frontage requirements and where access to a public or private street is provided by means of a long, narrow, driveway between abutting lots.

Sec. O Lot, Pie

A lot that resembles a slice of pie where the largest portion of the “slice of pie” is in the front meeting road frontage requirements and the rear property line is considered to be the point of the “slice of pie”.

Sec. P. Lot Width

The width of the lot at the minimum front building setback line measured parallel to the street right-of-way.

Sec. Q. Planning Department

The planning department – Troup County Planner.

Sec. R. Plat, Final

A plat of all or part of a subdivision prepared in accordance with the Troup County Subdivision Regulations and submitted for approval in such a form as required by Troup County for the purpose of recording.

Sec . S. Plat, Preliminary

A tentative plat, including supporting data, indicating a proposed subdivision design, prepared by a civil engineer, land surveyor, landscape architect, architect, or land planner in accordance with these regulations.

Sec. T. Public Hearing

A hearing held before the Troup County Board of Commissioners after advertisement of the time, place of the hearing as required by law. The public hearing shall adhere to the public hearing procedures as defined in the Troup County Zoning Ordinance. Notice will be given to the public by publishing a notice of said meeting in the legal organ of the county at least 15 days but not more than 45 days prior to the date of the hearing. Said notices shall include the location of the property, its current zoning and the requested action or change in the zoning ordinance. In addition to the notice published in the newspaper, a sign showing the action requested shall be placed in a conspicuous location on the property at least 15 days prior to the hearing.

Sec. U. Streets, roads

A way for vehicular and/or pedestrian traffic, whether designated as a street, highway, parkway, thoroughfare, throughway, road, avenue, boulevard, lane, place or however otherwise designated.

Sec. V. Subdivider

Any person, corporation or authorized agent who undertakes the subdivision of land as defined herein.

Sec. W. Subdivision, major

All divisions of a tract or parcel of land into more than four lots, building sites or other divisions for the purpose, immediate or future, of sale, legacy or building development; and includes all division of land into two or more lots involving a new street or a change in existing streets.

Sec. X. Subdivision, minor

All divisions of a tract of land into more than one and less than five lots, for the purpose, whether immediate or future, of sale, legacy, or building development. Divisions of land into less than five lots that do not require the construction of new streets, roads, sidewalks or similar facilities are considered to be minor subdivisions.

ARTICLE III GENERAL APPROVALS REQUIRED

Sec. A Name of Subdivision

The name of the subdivision must have the approval of the Troup County Planner at the time of preliminary plat submission. The name shall not duplicate or closely approximate the name of an existing subdivision in such a manner as to cause confusion for emergency services.

Sec. B. Name of Streets

The Troup County Planner shall approve the names of streets at the time of preliminary plat submission. The names shall not duplicate or closely approximate the name of streets in any existing subdivision.

Sec. C. Conflicting Provisions

Where any of the provisions of these regulations imposes a restriction different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever is more restrictive or impose higher standards shall control.

Sec. D Saving Provision

These regulations shall not be construed as abating any action now pending under, or by virtue of prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the county under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person, firm or corporation, by lawful action of the county, except as shall be expressly provided for in these regulations.

Sec. E Building Permits

Building Permits shall not be issued by the Building inspection, Zoning and Planning Department until roads and streets have been inspected and approved by the Troup County Engineer and the required maintenance bond has been accepted; or until acceptance of a performance bond meeting the requirements of Article IV Sec. E (1) & (7) of the Subdivision Regulations of Troup County.

ARTICLE IV PROCEDURE

Sec. A. Major Subdivision Approval Procedure

All major subdivisions as defined in these regulations shall be approved according to the following steps:

1. Informal review with subdivider or his agent, county planner, county engineer and Troup County Health Department representative and others as necessary.
2. Submit concept plan for review by Troup County Commissioners and Troup County Planning Commission for review with the rezoning of property if necessary.
3. Submission of preliminary plat to Troup County Board of Commissioners for comment and review and then to the Board of Zoning Appeals/Planning Commission if located in the Agricultural, Agricultural/Residential, Lakeside Rural Residential, any commercial district or any industrial zoning district for approval.
4. Approval of the subdivision by the Troup County Board of Commissioners using the point rating system as defined in Article 26 and 27 of the Troup County Zoning Ordinance for properties located in the Single-Family Medium Density or Lakeside Residential zoning district or Planned Unit Development (PUD). Public hearing required as specified in the Troup County Zoning Ordinance Article 16 Section 10.
5. Submission of construction documents to County Engineer and County Health Department for approval.
6. Issuance of Land Disturbing Activities (LDA) permit.
7. Submission of final plat for approval by the Troup County Board of Commissioners, subject to required bonding for acceptance of roads.
8. Record Final Plat and submit Maintenance Bond to the Planning office and copy to Road Department.

Sec. B Informal Review

1. Prior to the preparation of a subdivision preliminary plat, the subdivider or his agent is required to meet with the county planner, zoning administrator, county environmental health officer (Troup County Health Department representative) and county engineer, in order to review the location of the proposed subdivision to determine whether it appears possible that the said subdivision could meet requirements of this regulation. This step does not require any formal application.
2. The subdivider or his agent should provide a map of the surrounding area, topographic data taken from USGS Quadrangle maps or other sources, the property boundary, and a sketch of the proposed layout of streets (multiple layouts could be considered).
3. The sketch should also include any existing conditions on the property such as a private cemetery or any other conditions that require special attention of the subdivider or his agent. These may include but are not limited to general area of any wetlands or whether the property is located in groundwater recharge area or any other environmentally sensitive area as can be deemed from existing records.
4. Approval may be denied on a proposed subdivision where the planning commission or board of commissioners deem a public road to a proposed subdivision as being currently inadequate to service the proposed subdivision due to right-of-way width, construction or ingress and egress is inadequate for emergency evacuation or inadequate for emergency access to all properties.

Sec. C. Preliminary plat procedures for approval of major subdivisions

1. The preliminary plat shall show the proposed layout of streets, number of lots, subdivision title, and other features in relation to existing conditions. The preliminary plat should include topographic data taken from USGS Quadrangle maps or other sources, and any other information necessary for consideration of the proposed subdivision.
 - a. General information that shall be shown on the preliminary plat is the existing conditions of the site and the proposed development. This information shall include data on land characteristics, flood zones, wetlands, an outline of existing and proposed covenants, community facilities, streets, information describing the subdivision proposal such as number of lots, lot width and depth, playgrounds, parks, and other areas.
 - b. Preliminary plats shall also show the building setback lines, lot area, roads with names and addresses on all lots.
 - c. If private roads are to be constructed, covenants for a homeowners association established by the developer shall be submitted with the preliminary plat and approved by the Troup County attorney.

2. The preliminary plat will be placed on the agenda for the Troup County Board of Commissioners' first regularly scheduled meeting following the submission. The preliminary will be presented to the Board of Commissioners for information and comment and forwarded to the Board of Zoning Appeals/Planning Commission for approval and consideration of any comments from the Board of Commissioners for developments located in the Agricultural, Agricultural/Residential or Lakeside Rural Residential zoning districts. Developments in the Single-Family Medium Density or Lakeside Residential or Planned Unit Development (PUD) shall be reviewed by the Subdivision Review Committee in compliance with Article 26 of the Troup County Zoning Ordinance.
3. The preliminary plat shall be submitted to the Building Inspection, Zoning and Planning Department along with a completed subdivision review application and payment of required fees as adopted by the Troup County Board of Commissioners. The preliminary subdivision plat shall be submitted in paper and electronic DWG format. The preliminary plat will be reviewed by the Troup County Planner and Troup County Engineer for compliance with requirements of the zoning district in which the property is located and road specifications as defined in these regulations.

Sec. D. Construction Documents Review

1. After approval of the preliminary plat by the Board of Zoning Appeals/Planning Commission, the subdivider or his agent may submit construction documents demonstrating compliance with Article V, to the Troup County Engineer. A checklist of standard requirements, specifications and acceptable practices is available from the County Engineer. On site sewerage treatment plans shall be submitted to the Troup County Health Department for approval.
2. Plan Review:
 - a. Upon receipt of the construction documents, the Troup County Engineer shall determine, within ten (10) working days, if the construction documents appear to be complete. If all plans and related documents are in order, the construction documents shall be deemed to be officially received and the date of such official receipt shall establish the filing date.
 - b. Within forty five (45) working days after the filing date of the construction documents, the Troup County Engineer, the Planning Department and the Water Review Board (if applicable) shall complete the review of such plans for compliance with the requirements and provisions of this Ordinance and other applicable codes and ordinances. If such compliance requirements are not met, the construction documents shall not be approved. Specific reasons for disapproval shall be set forth in writing and shall identify deficiencies in the plans which cause disapproval. If multiple reviews are required, the engineer will complete the reviews within twenty one (21) working days for each re-submittal.

- c. If for any reason the required review is not completed in the specified time allotment the construction documents will be deemed approved.
3. When the construction documents are approved by the Troup County Engineer, the subdivider or his agent shall submit any maintenance bond required under Article VI, Sec A and purchase a land disturbance permit to begin construction of required improvements.
4. If no construction or permitting has taken place within two years of construction document approval then the subdivider or his agent shall resubmit construction documents to Troup County planning and engineering staff to review for any changes in standards.

Sec. E. Procedure for Final Plat Approval of Major Subdivision.

1. **Application for final plat approval:** After preliminary plat approval and construction has been completed up to and including curb and base the final plat may be submitted for a recommendation by the Troup County Planning Commission to the Troup County Board of Commissioners, where the Troup County Board of Commissioners may approve, deny or approve with conditions or table the submitted final plat for road acceptance.
2. In order to record the Final Plat, the subdivider or his agent must submit the complete final plat showing all items specified on the "Final Plat Checklist" available in the Building Inspection / Zoning and Planning Department including the following:
 - a. Six copies of the final plat, at least one copy of which shall be drawn in permanent ink on plastic velum 17-inch by 22-inch sheets.
 - b. One copy of the final plat in electronic DWG format.
 - c. One copy of any required covenants or homeowners association bylaws. These covenants shall be recorded with the final plat and identified on the final plat. The recording of the bylaws or covenants shall be written on the final plat retained by the Building, Zoning and Planning department
 - d. Administrative fee shall be paid prior to recording the final plat. The fee amount is as adopted by the Troup County Board of Commissioners and posted in the Building Inspection, Zoning and Planning Department
3. The final plat shall conform substantially to the preliminary plat as approved. If desired by the subdivider, the final plat may constitute only that portion of the approved preliminary plat that is to be recorded and developed at any one time, provided that such portion conforms to all requirements of these regulations. The final plat, prepared according to the 1961 Georgia Plat Act and all amendments thereto, shall show, at a minimum, but shall not be limited to, the following:

- a. Sufficient data to locate readily and reproduce on the ground the bearing and length of every street line, lot line, boundary line, and building line. This shall include, but is not limited to, the radius, length of arch, chord and chord bearing for the centerline of curved streets and curved property lines that are not the boundary of curved streets.
- b. Tract boundary lines. Street right-of-way lines, easement and other right-of-way lines, building setback lines and property lines of lots and other sites.
- c. All dimensions shall be accurate to the nearest one tenth of a foot and angles accurate to the nearest minute.
- d. Name and width of all streets or other rights-of-way.
- e. Subdivision name and location, north point and magnetic declination, date and scale.
- f. Location, dimensions, purposes and holder of any easements, and any areas to be dedicated to public use or for uses other than residential with statement of purpose and limitations.
- g. Lots listed in numerical order and blocks in alphabetical order.
- h. Accurate location, description and material of monuments and markers.
- i. Spaces shall be provided for certifications of approval or acceptance by the:
 - (1) Troup County Health Department;
 - (2) Troup County Planning Commission;
 - (3) Troup County Engineer;
 - (4) Troup County Board of Commissioners;
 - (5) Engineer or surveyor;
 - (6) Owner.

“State of Georgia
Troup County”

“It is hereby certified that this plat is true and correct and was prepared from an actual survey of the property by me or under my supervision. All monuments and pins shown thereon actually exist or are marked “future,” and their location, size, type and material are correctly shown. All of the requirements of the land subdivision regulations of Troup County, Georgia, have been fully complied with.”

BY: _____ Registered C.E. No. _____

Registered Land Surveyor No. _____

Witness:

Notary Public

DATE:

“I/we, the owner of said property to be surveyed, do hereby join in the forgoing statement. I/we also, hereby certify that it was and is my/our intention to divide said land into lots as shown by said plat and by execution of this Certificate. I/we do hereby dedicate and convey for public use such streets, alleys and public ground to Troup County, Georgia as is shown on this plat. I/we further declare that title was vested solely in me/us as of the date of this dedication.”

BY: _____

Witness

Notary Public

DATE: _____

- (7) Troup County Planner.
- (8) Board of Commissioners, Troup County

- j. Record:
“Filed in this office of the Clerk of Superior Court of Troup County, Georgia, Plat Book No. _____, Page No. _____.”
- k. Covenants and restrictions (if any) shall be identified on the final plat by reference to deed book and page where recorded.
- l. Public Notice, drainage. The following note shall be placed in a prominent place on the final plat.
“Note: Troup County assumes no responsibility for overflow or erosion of natural drains beyond the extent of the street right-of-way or for the extension of culverts beyond the point shown on the approved and recorded subdivision plat.”
- 4. Approval of the final plat. The Troup County Planner shall transmit to the BOC before its next regularly scheduled meeting copies of the final plat. The Troup County Board of Commissioners shall review the plat for acceptance of roads.
- 5. Recording of the final plat. If approved, the original plats are returned to the subdivider or his representative. The subdivider or his/her designee shall be responsible for recording the approved final plat and the payment of the recording fee.
- 6. Any bonds required by Article VI of this Appendix C shall be submitted with the submittal of the final plat.

7. In lieu of completing all required improvements in a subdivision at the time final plat approval is requested, the subdivider may provide a performance guarantee such as a performance bond (signed by a firm licensed and insured as a bonding agency under Georgia Laws, furnishing written documentation for approval by the Board of Commissioners); or an irrevocable letter of credit or escrow agreement; in a form acceptable to the county and in the amount of 150% of the cost of the remaining required improvements payable to the County. If the required improvements and/or facilities are not completed the proceeds from the performance guarantee shall be used to pay for the required improvements or facilities. County personnel or outside contractor may be used to complete the required improvements or facilities. When this bond is posted building permits may be issued as long as the roads are substantially complete as determined by the Roads and Engineering Department.

Certificates of Occupancy for buildings or structures will not be issued until the construction and installation of required improvements or facilities for which a performance guarantee is posted are completed in accordance with all applicable specifications and requirements.

Sec. F. Procedure for approval of minor subdivision

1. The subdivider shall submit three copies of the final plat for administrative review to the Troup County Planner.
2. The plat shall show all existing conditions and shall include all items specified on the “Final Plat Checklist” available in the Building Inspection / Zoning and Planning Department including the following for minor subdivisions of more than one lot and less than five lots:
 - a. Subdivision name and copy of covenants or deed restrictions as are intended to cover all or part of tract, if such are proposed; and
 - b. Certification by the Troup County Health Department that the lots meet the minimum specifications for onsite sanitation and water.
3. The Troup County Planner or his/her designee, shall, approve or deny the plat.
4. If the county planner or his/her designee denies the plat, the subdivider may appeal the decision by following the procedure for appeals in Section H of this Appendix C.
5. If the plat is approved, the subdivider shall be responsible for recording the plat in the office of the Clerk of Superior Court of Troup County.

Sec. G. Private Subdivisions.

1. A private subdivision shall meet the county subdivision regulations, including all roads, which shall be constructed to the latest county specifications.

2. Roads, recreation areas, and other common grounds shall be perpetually owned and maintained by a legally established association of all owners of property within the subdivision. Troup County assumes no maintenance responsibilities within the boundaries of the private subdivision.
3. Gates and/or security guards may be permitted. However, roads and other areas shall be open to the normal operation of emergency, police and public service vehicles and personnel.
4. It is assumed that the roads within a private subdivision will perpetually remain privately maintained, however, in the event the owners of the subdivision desire to dedicate roads to Troup County, said roads must meet all county standards and specifications at the proposed time of dedication. The roads must pass inspections by the Department of Roads and Engineering prior to dedication of the streets to Troup County. There shall be no implied dedication of roads or streets to Troup County and no dedication shall be effective unless accepted in writing by the Troup County Board of Commissioners.
5. All zoning, building permits, health department and other regulations of the county shall be met for individual lots within the subdivision.
6. The minimum area of the subdivision shall be 20 acres in Article V, Section H..

ARTICLE V STANDARDS FOR REQUIRED IMPROVEMENTS

Sec. A. Blocks

1. Length, width, and shape of blocks shall be determined with regard to:
 - a. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 - b. Zoning requirements as to lot size and dimensions.
 - c. Need for convenient access, circulation, control, and safety of street traffic.
 - d. Limitations and opportunities of topography.
2. Pedestrian easements, not less than ten feet wide, may be required where deemed essential to provide circulation, or access to schools, playgrounds, shopping centers, transportation and other community facilities.
3. On cul-de-sacs or dead-end streets, the maximum length is 600 feet except in cases where unusual topography or geography will not allow.

Sec. B Lot Specifications and Dimensions

1. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with county regulations and in providing safe driveway access from an approved street with adequate sight distance to allow building on such lots.
2. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless a variation from this rule gives a better street or lot plan.
3. Lot size, dimensions and setback lines shall conform to the requirements of the zoning ordinance.
4. Lots meeting size requirements are not automatically approved for development. Troup County Health Department must approve all individual sewer systems and/or water supplies.
5. Corner lots for residential use shall have an extra width, to permit appropriate building setback from and orientation to both streets. The “front” setback distance shall be used along both street frontages according to the zoning district in which the property is located. The “rear” setback shall be determined by the orientation of the principle structure.
6. Each lot shall front upon a public street, except as specified for L-100, RR, and Private Subdivisions.
7. Double frontage, and reverse frontage lots, shall be avoided except where topography prevents single road frontage, or to provide separation of residential development from through street traffic. A planting screen reservation of at least ten feet with no drive access shall be provided across the width of the property along the line of lots abutting such a through street.
8. No subdivision shall occur wherein a lot will be created of a size ranging between five acres and ten acres, inclusive, unless said lot has a minimum ratio of one foot of road frontage for every four feet of lot depth.
9. “Flag” and “Pie” lots shall be avoided (please see definitions). All lots shall meet the requirements of the zoning district in which the property is located. In the case of “slice of pie” lots no property line shall be less than five feet.

Sec. C. Streets and/or roads

(a) Public streets and/or roads.

1. Specifications not covered herein shall be performed in accordance with the latest Georgia Department of Transportation and AASHTO standard specifications.

2. The arrangement, character, extent, width, grade and location of all streets shall conform to the comprehensive plan. New streets shall be considered in their relation to existing and planned streets, topographic conditions, public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
3. When such is not shown in the comprehensive plan, the arrangement of streets in a subdivision shall either:
 - a. Provide for the continuation or appropriate connection to existing principal streets in surrounding areas; or
 - b. When future connectivity is required, the right-of-way for the future street may be recorded without constructing the street provided the right-of-way is no longer than one lot depth.
 - c. Conform to a plan for a neighborhood approved or adopted by the county commissioners to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
4. Minor streets shall be so laid out that their use by high volumes of through traffic will be discouraged.
5. Where a subdivision abuts or contains an existing or proposed through street with speed limit greater than 35mph access shall be limited to ensure adequate protection of residential properties and maintain public safety. The following measures may be imposed by the Board of Commissioners:
 - a. Deceleration stacking lane with taper
 - b. Acceleration lane with taper
 - c. Left turn stacking lanes with tapers
 - d. Reverse frontage lots with screen planting strip along the rear property line or such other treatment as may be necessary to afford adequate separation from through street
 - e. The Georgia Department of Transportation driveway manual “*Regulations for Driveway and Encroachment Control*” shall be used as a design guide
6. Where a subdivision borders on or contains a railroad right-of-way, or limited access highway right of way, the planning commission may require a street approximately parallel to, and on each of side of, such right-of-way, at a distance suitable for the appropriate use of the intervening land (such as parks in residential districts). Such distance shall also be determined with regard for the requirements of approach grades and future grade separations.

7. Privately owned reserve strips controlling access to streets shall be prohibited.
8. Street jogs with centerline offsets of less than 125 feet shall be prohibited
9. Street intersections should be as nearly at right angles as practical.
10. Street right-of-way width shall be no less than 50 feet with curb and gutter. Larger right-of-way widths are required for some roads.
11. Dead-end streets may be platted subject to the approval of the Board of Commissioners.
 - a. Dead-end streets, designed to be so permanently, shall be provided with a turnaround or cul-de-sac at the closed end. Installation shall conform to the latest county road specifications.
 - b. Dead-end streets that are designed to be so temporarily shall have a temporary turnaround or cul-de-sac as a part of the construction. Said condition shall be shown on the final plat presented to the commissioners for approval. Installation shall conform to the latest county road specifications. The temporary cul-de-sac may not lie on any portion of a lot in the subdivision phase to be approved by the commissioners. At the time the final plat is recorded, the subdivider or his agent shall present a bond payable to the county of a type approved by the county. In the event the street is not extended within two years, the cul-de-sac shall be permanently constructed or the bond shall be payable to the county to make the cul-de-sac permanent or the bond may be extended at the discretion of the Troup County Commissioners.
12. No street name shall be used that will duplicate or be confused with the names of existing streets. Proposed streets in obvious alignment with existing and named streets shall bear the name of the existing street. Street names shall be subject to the approval of the Board of County Commissioners.
13. Clearing. All trees, stumps, brush, topsoil, old foundations or other building materials shall be cleared from all rights-of-way. No tree stumps, or other debris shall be deposited within the right-of-way.
14. Grading. Streets shall be graded to provide for a width of pavement in the center of the right-of-way to conform to a profile and cross-section approved by the County Engineer.
15. Street grades shall conform to the latest Troup County road specifications and with allowance for reasonable vertical curves, shall not exceed a maximum of twelve percent (12.0%). No streets shall have a grade of less than one percent (1.0 %) except in vertical curve reversals.

16. Curb and gutter shall be required on all streets and shall be furnished and installed by the subdivider or his agent in conformance with the latest county road specifications. Distance from back of curb to back of curb must not be less than 25 feet.
17. Base and paving: Paving of a minimum width of 25 feet from back of curb to back of curb shall be furnished and paid for by the subdivider or his agent. Installation shall conform to the latest county road department specifications. The typical paving cross section for a proposed county road shall be designed using the Georgia Department of Transportation's "APD" (Asphalt Pavement Design) calculator based on the 1972 AASHTO Interim Guide for Design of Pavement Structures. The minimum acceptable typical paving cross section shall be:

1 ½" type "E" asphalt wearing course
2" type "B" binder
6" G.A.B. (Graded Aggregate Base)

The asphalt-wearing course must be laid after a period of at least one year after the streets have passed final inspection and the final plat has been recorded. A performance bond is required per Article VII

18. Cul-de-sacs shall have a minimum radius of 50 feet to the right-of-way, and a minimum radius of 42 feet to the back of curb.
19. Testing thickness and compaction. The county inspector shall make as many tests as necessary to determine the average thickness and compaction of the base course prior to placing of surface course. Tests shall also be made on the finished courses if necessary. When the subdivider or his agent or contractor disagrees with the county inspector's tests and prefers a consulting firm to be employed, said consulting firm shall be employed at the subdivider or his agent's expense.
20. Access to subdivisions shall be provided over a public street or road. Where subdivisions abut a public road or street that has a right of way width of less than 50 feet (Larger right-of-way widths are required for some roads), the subdivider or his agent shall dedicate additional land to provide a width of 25 feet (or half the total width required) on the subdivider's side of the centerline. Where public roads or streets less than 50 feet (Larger right-of-way widths are required for some roads) traverse subdivisions the subdivider or his agent shall dedicate additional land to provide a width of 25 feet (or half the total width required) on both sides of the centerline. Nothing herein shall be construed to obligate the county or subdivider or his agent to improve such road or street frontage.
21. Approval may be denied on a proposed subdivision where the County Commissioners deem a public road to the subdivision as being inadequate due to right-of-way width or construction until such time as the road has been brought up to county standards.
22. Driveways within the right-of-way shall be constructed according to specifications of the county road department and Chapter 66 (Road and Streets) of the Troup County Code of Ordinances

23. The subdivider or his agent shall furnish and install required striping and street name signs at all proposed street intersections during construction of the streets. The signs shall use 6 inch white letters on blue background. The Troup County Department of Roads and Engineering must approve street name signs of special design. Subdivision entrance markers are not permitted within the existing or proposed public right-of-way.
24. Inspection. The county inspector shall be notified prior to each phase of construction. All street construction shall be done under the direct inspection of the county inspector.

(b) Private Access Roads

1. Private access roads (other than roads otherwise provided for in rural residential subdivisions), shall be permitted only in subdivisions in areas zoned Lakeside Residential (L-100).
2. Private access roads shall only be permitted in Lakeside Residential (L-100) subdivisions and only when such subdivisions contain peninsulas of land that may not be fully utilized without the private access roads. All private access roads shall meet the requirement of subsection 3(a).
3. Private access roads shall adhere to the following standards:
 - a. All private access roads shall be a minimum of 30 feet in total width, shall have no less than a 20-foot wide paved section, and shall be constructed to the specifications shown on Figure 1 that is incorporated herein by reference.
 - b. All private access roads that dead end shall provide for a turnaround of sufficient size to allow for emergency vehicles to enter and leave without having to make more than one backing movement. The turnaround and the entrance to the private road shall not be blocked in any manner so as to prevent the access and egress of emergency vehicles.
 - c. All private access roads shall be a jointly owned easement and maintained by all lots served by the easement. Prior to approval of the final subdivision plat, the owners and/or subdivider or his agents shall present an agreement binding on the property owners and their successors and/or assigns that shall provide a mechanism for the perpetual maintenance of the road. Said agreement must receive the approval of the Board of Commissioners prior to recording the final plat.
 - d. All lots served and/or accessed by the private access road shall comply with the frontage requirements as stated in Article IV §9 of Appendix A of the Troup County Code of Ordinances.
 - e. No private access road shall be allowed to serve as the means of ingress and egress more than five dwelling units.

- f. Private access roads shall only provide ingress and egress for dwelling units that are located within the approved platted subdivision.
 - g. The final subdivision plat shall contain notations in a form acceptable to the county that all private access roads are private and are not maintained by Troup County. The homeowners of those lots shall jointly own all private access roads served by the road. All private access roads shall be perpetually maintained pursuant to an agreement binding the lot owners, their successors and assigns.
4. Except as otherwise specifically provided in subsection 3.b., private access roads shall comply with all the requirements set forth in subsection 3.a. of this section.

Sec. D. Subterranean improvements

- 1. Utilities shall be installed within the right-of-way of a proposed street in accordance with the Troup County Utilities Standard available from the Troup County Engineer.
- 2. No underground work shall be covered or concealed until inspected and approved by the county inspector
- 3. Water lines. Each lot within the subdivision shall be provided with a connection to a water supply. Individual water systems shall be subject to the approval of the Troup County Health Department. Public and private water systems and all connections shall comply with the regulations of the Georgia Department of Natural Resources and shall be subject to the inspection and approval of the county inspector.
- 4. Sanitary Sewers (where available). Each lot within the subdivision area shall be provided with a connection to a sanitary sewerage system. The sewerage system and all connections shall comply with the regulations of the Georgia Department of Natural Resources and the utility owner, and shall be subject to the inspection and approval of the utility inspector.
- 5. Septic tanks may be permitted wherever sanitary sewerage is not available. Design data shall be submitted to the Troup County Health Department in accordance with regulations of said department.

Sec. E. Surface Drainage specifications

- 1. The size, length and location of all surface drainage pipe and structures shall be subject to the approval of the engineer. In no case shall water be allowed to discharge at a point where damage would be caused to any adjacent property.
- 2. All storm drainage pipe shall conform to Georgia Department of Transportation standards, particularly including but not limited to, designs of cross drain pipes, longitudinal pipes, gutter flows, side ditch flows and appurtenances thereto.

3. Any lots within subdivisions that in the opinion of the county building inspector, are unfit for building due to bad drainage conditions shall be excluded, and no building shall be permitted until such conditions have been corrected.
4. Installation, backfilling and compaction shall be in accordance with Georgia Department of Transportation standard specifications.

Sec. F. Easements

1. Utility and drainage easements shall be provided as required by the Board of Commissioners (see the definition of a drainage easement in Article II section L.).
2. Where a watercourse traverses a subdivision, drainageway, or natural channel there shall be provided an easement conforming substantially to the limits of such course, plus additional width as necessary to accommodate future construction and maintenance.
3. A ten-foot utility and drainage easement shall be located along the front, side, and rear lines of each lot. The easement is not necessarily maintained by Troup County.

Sec. G. Soil erosion and sedimentation.

1. Required plan. A plan, approved by Troup County, that meets the criteria of the then current edition of the “Manual for Erosion and Sediment Control in Georgia,” shall be required on all subdivisions prior to any clearing or grading. Immediate action shall be taken by the subdivider or his agent, at his expense, to correct any soil erosion that occurs as result of his construction activities, whether in conformance with the plan or not.

Sec. H Appeals

1. The subdivision review board is hereby created.
 - a. The board shall consist of three regular members appointed by the board of commissioners. Initially, one member shall be appointed for a term of one year, a second member shall be appointed for a period of two years, and a third member shall be appointed for a period of three years. Thereafter, they shall be appointed for a term of three years. An alternate member shall be appointed for a term of three years to serve in the event of conflict of interest of a regular member.
 - b. The board shall have the power to hear and decide appeals of the subdivider or his agent regarding decisions made by the county engineer where there is an alleged error in the interpretation of the standards of this article or of the road design specifications.
 - c. Appeals from the decision of the Subdivision Review Board shall be taken to the appropriate courts.

2. The subdivider or his agent may appeal the decision of the County Engineer in the application of the standards of this article or the Troup County road specifications to the subdivision review board.
3. An appeal from the decision of the County Engineer must be made in writing and filed with the Building, Zoning and Planning Department within 15 days after the decision is rendered. A meeting of the Subdivision Review Board will be called within thirty days of filing the appeal.
4. The Subdivision Review Board shall reach a decision without unnecessary delay and in all cases shall take action on an appeal within 30 days of submission.

ARTICLE VI BONDS

Sec. A. Maintenance bond for existing streets

1. Prior to the start of construction Troup County Board of Commissioners may require a maintenance bond to ensure that certain roads that will serve as an entrance for construction traffic through existing sections of a subdivision are restored to the condition existing at the time of construction in the new section or new subdivision was started. If said entrance road has 60% of the principal structures completed then no maintenance bond for existing streets shall be required. The Troup County Board of Commissioners shall also consider the age of the existing road in determining the need for a maintenance bond. The maintenance bond amount shall be as posted in Appendix A of these regulations.
2. Said maintenance bond shall cover the time period beginning at the date of issuance of the Land Disturbing Activity (LDA) permit and ending concurrently with maintenance bond for new streets. The maintenance bond shall only be released by the County Engineer after completion of necessary repairs.

Sec. B. Maintenance Bond for new streets

1. A maintenance bond in the amount as posted in Appendix A of these regulations is required in order to record the final plat for a major subdivision.
2. Said maintenance bond shall cover the time period beginning at the date of acceptance of the streets and ending after 60 percent of the buildings in the subdivision have been completed or two years (whichever is shorter). The maintenance bond shall only be released by the Troup County Engineer.
3. The subdivider or his agent, prior to recording the plat and after final plat approval by the Troup County Board of Commissioners, shall present the required maintenance bond.

4. The subdivider or his agent shall maintain the required improvements that exist in or in any way affect the dedicated rights-of-way. Said maintenance shall consist of, but not be limited to the following:
 - Repair of any areas of pavement or curb failure.
 - Correcting any erosion.
 - Removal of any sedimentation that occurs within the right-of-way.
 - Cleaning any drainage structures.
5. The Troup County Roads and Engineering department inspector shall inspect the required improvements within the last 90 days of the bond period and shall present to the subdivider or his agent a list of needed repairs. If inspection is not performed within the prescribed 90 day period the bond shall be released. The subdivider or his agent shall complete the listed repairs prior to the end of the bond period. If the repairs are not satisfactorily completed at the end of the bond period, an additional one-year maintenance bond will be required. If no repairs are needed, the county shall release the maintenance bond.

Sec. C. Performance Bonds

For Asphalt-Wearing Course:

A performance guarantee such as a performance bond (signed by a firm licensed and insured as a bonding agency under Georgia Laws, furnishing written documentation for approval by the Board of Commissioners); or an irrevocable letter of credit or escrow agreement; in a form acceptable to the county and payable to the county, shall be required prior to recording the final plat. The purpose of the bond is to cover the cost of installing the asphalt-wearing course. The bond shall not be released by Troup County until the wearing course has been installed. In no case shall the asphalt-wearing course be installed less than one year after recording neither the final plat nor more than the period of the maintenance bond. The amount of the performance bonds shall be based on the "Bond Fee Schedule" as shown in appendix A.

ARTICLE VII VARIANCES

Sec. A. Hardship

Where, due to unusual circumstances, the strict compliance with these regulations may result in undue hardship or practical difficulties, certain variances may be authorized by the Troup County Board of Zoning Appeals/Planning Commission, provided substantial justice is done, the public interest secured and the variance will not nullify the intent or purpose of the comprehensive plan, the zoning ordinance or these regulations.

Sec. B. Conditions

In granting variances and modifications, the county planner may recommend and the Board of Zoning Appeals/Planning Commission and the Board of Commissioners may require such conditions as will secure substantially the objectives of the standards or requirements so varied and modified.

ARTICLE VIII LEGAL STATUS

The Troup County subdivision regulations contain the subdivision requirements for the unincorporated area of Troup County. Provisions of these requirements are considered minimum requirements for the promotion of public safety, health, and general welfare.

Sec. A. Interpretation

These regulations are not intended to interfere with or annul any easement, covenant or other agreement between parties. However, where these regulations impose a greater restriction upon the use of the property or require greater space than is imposed by other regulations or by private easements, covenants, or agreements, the provisions of these regulations shall govern.

Sec. B. Conflicting regulations

All resolutions and parts of any resolution, regulation, or ordinance passed by the Board of Commissioners of Troup County, Georgia, in conflict herewith are hereby repealed.

Sec. C. Validity

Should any part, section, or provision of these regulations be declared invalid or unconstitutional, such decision shall not affect the validity of any remaining portion of these regulations.

APPENDIX A

MAINTENANCE BONDS

Existing Streets – \$28.00 per linear foot of road

New Streets – \$28.00 per linear foot of road

PERFORMANCE BONDS

Asphalt-wearing Course - \$12.00 per linear foot of road to be submitted with maintenance bond for new streets.

In lieu of completing all required improvements – 150% of the cost of completion as determined by the road construction contractor and agreed upon by the County engineer.