

**SUBDIVISION REGULATION ORDINANCE
CITY OF SAVANNAH, GEORGIA**

SAVANNAH CITY CODE PART 8, CHAPTER 2

Recommended to the Mayor and Aldermen
by the
Chatham County-Savannah Metropolitan Planning Commission

Adopted by the Mayor and Aldermen
April 29, 1982

Revised in its entirety July 21, 2005

TABLE OF CONTENTS

	<u>PAGE</u>
ARTICLE A. - SHORT TITLE	1
Section 8-2001. Generally	1
ARTICLE B. – RESERVED	1
Section 8-2002. Reserved	1
ARTICLE C. – JURISDICTION	1
Section 8-2003. Chapter Effective Within Corporate Limits	1
ARTICLE D - PURPOSES	1
Section 8-2004. Generally	1
ARTICLE E - DEFINITIONS OF TERMS	1
Section 8-2005. Definitions	1
ARTICLE F - RESERVED	5
Sections 8-2006 – 8-2020. Reserved	5
ARTICLE G - DESIGN STANDARDS	5
Section 8-2021. Minimum Design Standards and Improvements	5
Section 8-2022 - Streets	5
Section 8-2023. Lots	9
Section 8-2024. Blocks	12
Section 8-2025. Easements	12
Section 8-2026. Monuments	12
Section 8-2027. Water Supply and Sewage Disposal	13
Section 8-2028. Fire Hydrants	14
Section 8-2029. Benchmarks	14
Section 8-2030. Preservation of Noteworthy Features	14
Section 8-2031. Environmental Site Assessment (ESA)	14
Sections 8-2032 – 8-2040 Reserved	14
ARTICLE H - ADMINISTRATION	14
Section 8-2041. Administrative Agency	14
Section 8-2042. Concept Plan	15
Section 8-2043. Construction Plans	15

	<u>PAGE</u>
Section 8-2044. Final Plat	17
Section 8-2045. Minor Subdivisions	22
Section 8-2046. Planned Development Subdivision	23
Sections 8-2047 – 8-2060. Reserved	24
 ARTICLE I - EXEMPTIONS AND MODIFICATIONS	 24
Section 8-2061. Exemptions	24
Section 8-2062. Modification of Right-of-Way Requirements	24
Section 8-2063. Final Plat Approval Only	25
Section 8-2064. Variances	25
Section 8-2065. Private Streets and Access Easements	25
Section 8-2066. Establishment of Private Common Open Spaces or Areas Permitted	26
Sections 8-2067 – 8-2080. Reserved	27
 ARTICLE J - PENALTIES	 27
Section 8-2081. Violation a Misdemeanor	27
Section 8-2082. Other Penalties	27
Sections 8-2083 – 8-3090. Reserved	27
 ARTICLE K - AMENDMENT	 27
Section 8-2091. Amendment	27

CHAPTER 2. SUBDIVISION
REGULATIONS*

***Cross references:** Streets and sidewalks, § 4-1001 et seq.; mobile home parks, § 8-9001 et seq.

ARTICLE A. SHORT TITLE

Sec. 8-2001. Generally.

This chapter shall be known and may be cited as the "Subdivision Regulations of Savannah, Georgia."

ARTICLE B. RESERVED

Sec. 8-2002. Reserved.

ARTICLE C. JURISDICTION

Sec. 8-2003. Chapter effective within corporate limits.

The jurisdiction of this chapter shall be all that area within the corporate limits of the city.

ARTICLE D. PURPOSES

Sec. 8-2004. Generally.

The various articles and sections of this chapter are adopted for the following purposes, among others:

- (a) To help conserve and protect the natural, economic and scenic resources of the city.
- (b) To help prevent and reduce the traffic congestion and traffic hazards which result from narrow or poorly aligned streets, and which result from excessive entrance and exit points along major traffic arteries.
- (c) To help eliminate the costly maintenance problems which develop when streets and lots are laid out without proper consideration being given to the drainage characteristics of the tract of land at the time the land is being subdivided into streets and lots.
- (d) To help prevent the spread of urban blight and slums.
- (e) To help ensure that residential lots will be of such design, area and width as will prevent health and sanitation problems from developing in those subdivisions with lots to be served by individual water supply and waste disposal systems.

- (f) To help ensure that all building lots will be accessible to firefighting equipment and other emergency and service vehicles.
- (g) To help protect the investments of the buyers of subdivision lots.
- (h) To help promote and protect the health, safety, prosperity and welfare of the citizens of the city, and for other purposes.

ARTICLE E. DEFINITIONS OF TERMS

Sec. 8-2005. Definitions.

For the purpose of these regulations, the following words and terms are defined as follows:

- (a) Words used in the present tense include the future tense.
- (b) Words used in the singular number include the plural, and words used in the plural include the singular.
- (c) The word "shall" is always mandatory and not merely discretionary. The Chatham County-Savannah Metropolitan Planning Commission's interpretations shall be final as to the meaning of any definition, statement, requirement, rule, symbol or other professional abbreviations used in connection with these regulations and/or application thereof.
 - (1) *Building line.* A line beyond which no foundation wall or part of the structure of any building shall project, with the exception of roof overhang and the subsurface projection of footings; provided, however, that said overhang and said footings do not encroach upon the adjoining property line.
 - (2) *Change in existing street.* The rerouting, extension, widening, surfacing or other physical alteration of an existing opened or unopened street.
 - (3) *City.* The City of Savannah, Georgia.
 - (4) *City council.* The mayor and aldermen of the City of Savannah, Georgia.

- (5) *City engineer.* The official to whom the responsibilities normally associated with this chapter have been delegated.
- (6) *Commissioner of health.* The Chatham County Commissioner of Health, the Chatham County Health Department and/or the State of Georgia Department of Health. The words "commissioner of health" are used in these regulations to denote the fact that all matters pertaining to health regulations shall be channeled through that official or his staff.
- (7) *Concept Plan.* A general plan, sketch or other plan that shows general design and land use plans, but that may not contain specific construction information.
- (8) *Construction Plans.* Preliminary or specific development site plans that contain all the necessary information to construct the proposed site improvements.
- (9) *Crosswalk.* A right-of-way within a block dedicated to public use, intended primarily for pedestrian use, from which motor vehicles are excluded, and which is designated to provide access to adjacent roads or lots.
- (10) *Cul-de-sac.* A street having one end open to traffic and the other end terminated in the minimum right-of-way and paved turnaround specified in these regulations.
- (11) *Development.* The act, process or state of erecting buildings or structures, or making improvements.
- (12) *Development, group.* A tract or parcel of land in single, public or private ownership where each building is designed as a part of the corporate whole.
- (13) *Director.* The executive director of the Chatham County-Savannah Metropolitan Planning Commission (MPC).
- (14) *Dwelling, one-family.* A detached structure containing one dwelling unit only.
- (15) *Dwelling, one-family attached.* A building containing two or more dwelling units erected as a single structure, on adjoining lots, each being separated from the abutting unit or units by an approved masonry wall or walls.
- (16) *Dwelling, two-family.* A detached structure containing two units only.
- (17) *Dwelling, three- to four-family.* A detached structure containing three to four dwelling units only.
- (18) *Dwelling unit.* One or more rooms designed as a unit to provide complete housekeeping facilities for one family.
- (19) *Easement.* A grant by the owner of land for the use of all or a portion of such land by others, including the public, for a specific purpose or purposes.
- (20) *Environmental site assessment.* An assessment by a professional engineer or other licensed professional experienced in geotechnical investigations and the assessing of real property for environmental concerns, to determine the likelihood of the presence of a landfill or other environmentally dangerous situations on a site, including but not limited to toxic waste, hazardous waste, petroleum products and chemical products according to procedures set forth for such assessment in the City of Savannah's engineering department design directives.
- (21) *Frontage road.* A street that is parallel to and adjacent to an arterial street; provides access to abutting properties and protection from through traffic.
- (22) *Governing authority.* The body of elected officials which has enacted these regulations for the political area over which it has jurisdiction.
- (23) *Lot.* A portion of a subdivision intended as a unit for transfer of

ownership or for development or both. In determining the area and dimension of a lot, no part of the right-of-way of a road or crosswalk may be included.

(24) *Lot width.* The width of the lot at the building line measured parallel to the street right-of-way line, or in the case of a curvilinear street right-of-way line to the cord of the arc between the intersection of the side lot lines with the street right-of-way line.

(25) *MSL.* Mean sea level.

(26) *Marshland.* All land subject to tidal action which is comprised of generally unstable soil materials commonly known as "hard" or "soft" marsh, which in its natural state is vegetated with marsh grass, reeds and similar growth, and is usually characterized by poor load-bearing capacity. Marshland lies below an elevation of six feet above mean sea level.

(27) *Master plan.* The comprehensive plan which may consist of several maps, data and other descriptive matter for the physical development of the district or any portions thereof, including any amendments, extensions or additions thereto recommended by the MPC, showing, among other things, existing and proposed streets, highways, expressways, bridges, tunnels and viaducts and approaches thereto; routes of railroads and transit lines; terminals, ports, airports, parks, playgrounds, forests, reservations, and other public open spaces; sites for public buildings and structures; districts for residence, business, industry, recreation, agriculture, forestry; special districts for other purposes; limited development districts for purposes of conservation, water supply, sanitation, drainage, protection against floods and the like; areas for housing developments, slum clearance, and urban renewal and redevelopments; location of public utilities, whether publicly or privately owned, including but not limited to sewerage and water

supply systems; zoning districts and other planning features.

(28) *MPC.* The Chatham County-Savannah Metropolitan Planning Commission.

(29) *Net building coverage.* The land covered by a structure.

(30) *Net residential acre.* An acre of land devoted to residential buildings and accessory uses, including off-street parking areas, but excluding areas devoted to roads or streets, public parking, playgrounds and nonresidential buildings.

(31) *Planning district.* The Savannah Metropolitan Planning District, which includes all of Chatham County, Georgia.

(32) *Private pedestrian or vehicular access easements.* A private pedestrian or vehicular access easement shall be defined as any pedestrian or vehicular accessway, driveway, walkway, or other means of ingress or egress which is not dedicated to or accepted by the city and which is privately owned, operated and maintained.

(33) *Private sewerage.* The treatment of sewage in septic tanks and disposal of the treated matter by absorption fields.

(34) *Private street.* A private street shall be defined as any street or road which is platted, but not reserved or dedicated to nor accepted by the city and whose use is restricted by notice of sign or by a gate, barrier or other device intended to exclude the general public, or where such street is identified as "private" on a recorded subdivision plat. The associated drainage facilities for any private street are also private.

(35) *Private water, individual.* The supply of water by means of a well to one lot only.

(36) *Private sewerage, individual.* The treatment of sewage by on-site disposal to one lot only.

- (37) *Procedures and specifications.* The "Subdivision Procedures and Specifications" as adopted in accordance with the provisions of these regulations.
- (38) *Public.* Open to public use whether or not community, municipal or county ownership is involved.
- (39) *Public sewerage.* A system that is owned, maintained and operated by a unit of local government.
- (40) *Public water.* A system that is owned, maintained and operated by a unit of local government.
- (41) *Right-of-way.* A strip of land used or to be used as a road or crosswalk or for a pipeway or drainage canal.
- (42) *Street.* Means, relates to and includes all opened streets, avenues, boulevards, roads, highways, expressways, lanes, alleys, and other ways.
- (43) *Street, arterial.* A street which is so designated on the master plan and which is used or intended primarily for fast or heavy traffic.
- (44) *Street, collector.* A street which connects residential streets with arterial streets and/or serves more than 200 dwelling units.
- (45) *Street, opened.* A street shall be deemed to be opened if it meets either of the following criteria:
- a. Was constructed to or brought up to city specifications following the adoption of this chapter [April 29, 1982].
 - b. Was available for public use prior to the adoption of this chapter [April 29, 1982] and meets the design specifications as set forth in section 8-2022(s), subsections 5 (pavement width), 6 (type of pavement), and 9 (drainage) of this chapter. Provided that those streets or segments thereof listed in section 8-2022(w) shall be exempt from meeting these specifications for the purpose of minor subdivisions.
- (46) *Street, standard.* A street or any part thereof shall be deemed to be standard if it meets all of the design requirements of section 8-2022(s) of these regulations.
- (47) *Street, substandard.* A street or any part thereof shall be deemed to be substandard unless it meets the design requirements of a standard street.
- (48) *Street, unopened.* A street or any part thereof shall be deemed to be unopened unless it meets the requirements of an opened street.
- (49) *Subdivider.* Any person or corporation or duly authorized agent who undertakes the subdivision of land as defined herein.
- (50) *Subdivision.* The division or redivision of a parcel of land into two or more lots, building sites or tracts, with or without the creation of a new street or a change in an existing street, for the purpose, whether immediate or future, of sale, legacy or building development.
- (51) *Subdivision, major.* Any subdivision of more than three lots, or any subdivision that creates a new street or replaces or realigns an existing street or makes any improvement to an existing street to bring it up to the city's standards for an open street.
- (52) *Subdivision, minor.* Any subdivision of three lots or less that does not contain a new street and that is on an existing street that meets the city's standards for opened streets, and that does not require realignment.
- (53) *Subdivision, opened.* A subdivision or portion thereof whose streets have met the opened street requirements of these regulations.
- (54) *Subdivision, unopened.* A subdivision or portions thereof, recorded prior to the adoption of these regulations [April 29, 1982], whose streets have not met the opened street requirements of these regulations.

(55) *Utility*. Any community service available to the general public by means of an overhead or underground distribution or collection system, such as electricity, telephone, water, gas and sewage disposal.

(56) *Zoning regulations*. The zoning regulations enacted by the mayor and aldermen.

ARTICLE F. RESERVED

Secs. 8-2006--8-2020. Reserved.

ARTICLE G. DESIGN STANDARDS

Sec. 8-2021. Minimum design standards and improvements.

- (a) *New subdivisions*. In order that the various purposes of this chapter may be accomplished, all subdivisions hereafter established shall be developed and improved in accordance with the minimum design standards set forth in this article. Final approval shall not be given a subdivision until all appropriate design standards have been met and until all appropriate required improvements have either been installed or an appropriate bond or certified check has been posted to secure the installation of such improvements. No subdivision shall be accepted for review under these regulations which does not conform with the zoning regulations applicable to the land for which it is proposed.
- (b) *Recorded but unopened subdivisions*. Parcels recorded prior to the effective date of these regulations [April 29, 1982] which abut an unopened street shall not be developed until such street or portion thereof has been opened and paved according to city specifications or as certified to be paved in accordance with section 8-2044(d)2 of these regulations.
- (c) *Resubdivision of lots within a recorded single-family subdivision*. Lots within a recorded subdivision for single-family detached units designed to be developed as a unified whole shall not be further subdivided if such resubdivision would create lots of such size or shape which

would alter or change the character of the recorded single-family subdivision in terms of adversely impacting the visual quality or consistency of the established development pattern or adversely affecting property values or quality of life for residents and owners of lots within such recorded single-family subdivision.

Sec. 8-2022. Streets.

Except as hereinafter provided, all streets established in any subdivision shall comply with the following general provisions:

- (a) *Continuation of existing street pattern*. The arrangement of streets in a subdivision shall provide for the alignment with, or the continuation of, or the appropriate projection of existing principal streets in surrounding areas.
- (b) *Street jogs*. Street jogs or centerline offsets in the horizontal alignment of streets across intersections of less than 150 feet shall be prohibited.
- (c) *Intersections*. The centerline of no more than two streets shall intersect at any one point. Streets shall be laid out so as to intersect as nearly as possible at right angles, and no streets shall intersect any other street at less than 60 degrees. Curved streets shall have a minimum tangent of 100 feet at intersections.
- (d) *Streets intersecting with major arterials and secondary arterials*. New street entrances on roads designated or classified as major arterials shall be not less than 1,700 feet apart, and new street entrances on roads designated or classified as secondary arterials shall be not less than 500 feet apart. Provided, however, that the MPC may reduce these requirements whenever it determines that such action will not be contrary to the purposes of this chapter.
- (e) *Subdivisions on arterial streets*. Where a subdivision abuts or contains an existing or proposed arterial street, the MPC may require frontage roads, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots

with rear service lanes, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

- (f) *Minimum curb and street radius.* The lot line radius at intersecting streets shall be not less than 20 feet. The centerline radius of all curvilinear streets shall be not less than 75 feet.
- (g) *Permanent dead-end streets.* Cul-de-sacs, designed to be permanent, shall not be longer than 800 feet from the nearest street right-of-way line with which it intersects to the center of its circular turnaround. Dead-end streets, designed to be such permanently, shall be provided at the closed end with a turnaround having an outside roadway diameter of not less than 80 feet, and a right-of-way diameter of not less than 100 feet.
- (h) *Temporary dead-end streets.* Temporary dead-end streets which extend for a distance greater than 200 feet shall be provided with a temporary turnaround having a diameter of 80 feet. Said temporary turnaround shall be so constructed as to assure a surface resistant to erosion and so drained as to prevent damage to abutting properties. Temporary dead-end streets of 200 feet or less shall be provided with an earth barrier, fence or similar physical barricade at the dead end. Provisions shall be made for the future extension of the streets and reversion of the excess right-of-way to the adjoining properties.
- (i) *Half streets.* Half streets shall not be permitted within a subdivision.
- (j) *Interior streets.* Interior streets within subdivisions shall be so laid out and designed that their use by through traffic and speeding traffic will be discouraged.
- (k) *Street names.* All streets within a subdivision hereafter established shall be named. No name shall be used which will duplicate or be confused with existing street names.
- (l) *Additional right-of-way.* A proposed subdivision that includes a platted opened street that does not conform

to the minimum right-of-way requirements of this chapter shall provide for the dedication of additional right-of-way along either one or both sides of said street so that the minimum right-of-way required by this chapter can be established. If the proposed subdivision abuts only one side of the street, then a minimum of one-half of the required additional right-of-way shall be dedicated by such subdivision. Provided, however, the MPC shall waive the dedication of such additional right-of-way based on a finding that the platted street in question is an opened and paved street and the lotting arrangement and lot development pattern along the street is such that future subdividing along such street is unlikely to occur except under exceptional circumstances and therefore the opportunities to acquire right-of-way through subdivision approval is limited. However, where the future widening of the street will be required based on existing or future traffic projection, the MPC shall, as a condition of subdivision approval, require an additional building setback line from such street equal to one-half of the additional right-of-way that will be needed for the future widening of the street. Such setback requirement shall be in addition to the required setback lines established along the street. The following special notation shall be placed on the plat: "No buildings, or required parking, or other permanent structures shall be placed within the required setback line."

- (m) *Additional driving surface width.* A proposed major subdivision that includes a platted street containing a driving surface width of less than that required by this chapter shall provide for the improvement of said street so that the minimum driving surface width required by this chapter can be established. If the proposed subdivision abuts only one side of said street, then a minimum of half of the required extra surface shall be provided by the developer.
- (n) *Subdivisions on only one side of existing street.* A proposed major subdivision which abuts only one side of an existing street shall be required

to pay half the cost of meeting the design specifications for such street, as identified in section 8-2022(s) of these regulations; provided, that the cost of such improvements shall be shared by the owners of property lying across said street on the same basis as if said street were to be paved under the public necessity paving provisions of the city.

- (o) *Street access to adjoining property.* Whenever the MPC finds that street access to adjoining property is needed, a street right-of-way shall be extended to the boundary of such property, and such right-of-way shall be dedicated to the public as an unopened street. When such unopened street is required for access to property, then the developer of the property for which access is required shall be responsible for opening and improving the unopened street.
- (p) *Street name markers.* Street name markers shall be constructed at all intersections by the developer in accordance with city specifications.
- (q) *Major thoroughfare plan.* When the major thoroughfare plan of the community shows proposed arterial streets and collector streets within a proposed subdivision, the subdivider shall design the street system within such subdivision to conform with the location and arrangement of such arterial streets and collector streets.
- (r) *Sidewalks.*

- 1. *Where located.* Sidewalks shall be provided along both sides of all streets within new subdivisions, and along the sides of existing streets which abut all new subdivisions, pursuant to the following provisions; provided that streets within the following types of subdivisions are exempt from this requirement:
 - i. Industrial developments and planned commercial official parks where significant pedestrian traffic is unlikely.
 - ii. Minor subdivisions not part of subdivisions being created from a

single tract or multiple tracts under a single ownership, and where no sidewalks are located within 350 feet along the same block face or contiguous block faces.

- iii. *Recombination* subdivisions when the total number of lots is not being increased.

Sidewalks shall be located within the street right-of-way, at least one foot from the property line and at least two feet from the back of the curb or the edge of the street pavement when there is no curb. Sidewalks shall be installed pursuant to section 8-2022(s)10.

The MPC may approve a pedestrian path/modified sidewalk system upon a finding that said system would adequately serve the residents within the proposed subdivision and the general public.

2. *Duty to provide.* The responsibility for providing required sidewalks shall be as follows:

- i. The building permit applicant for a lot within a subdivision hereafter approved shall install required sidewalks as provided for herein, or a pedestrian path/modified trail system when approved by the MPC, along the applicants lot where it abuts collector streets, minor or residential streets, and marginal access roads, prior to the issuance of a certificate of occupancy.

- ii. The subdivider shall install sidewalks, as provided for herein, or a pedestrian path/modified trail system when approved by the MPC, along all lots which abut a street classified as an arterial; and wherever a subdivision street abuts common property or common area, along

public lands (including where such streets cross drainage rights-of-way), along utility sites, where they abut major arterials, secondary arterials, collector streets, minor or residential streets and marginal access roads, and when said system will not be located within the right-of-way of the abutting street, prior to final inspection (excluding

the warranty period) of the proposed subdivision by the city engineer.

- (s) *Design and construction specifications for streets.* Except as hereinafter provided, all streets established in any subdivision shall be designed and constructed in accordance with the following specifications:
DESIGN SPECIFICATIONS FOR STREETS, AND RIGHT OF WAY TABLE INSET:

		Type of Street				
List of Specifications		Major Arterial	Secondary Arterial	Collector Street	Minor Street	Frontage Road
1.	Minimum right-of-way	See § 8-2022(t)	See § 8-2022(t)	60 ft.	60 ft.	40 ft.
2.	Curb and gutter	Shall be installed in accordance with standard city details and technical provisions				
3.	Back slope (behind curb & gutter)	8 ft.	8 ft.	8 ft.	8 ft.	8 ft.
4.	Minimum slope of back slope	1/2 in./ft.	1/2 in./ft.	1/2 in./ft.	1/2 in./ft.	1/2 in./ft.
5.	Minimum pavement width (from face to face of curb)	See § 8-2022(u)		36 ft.	26 ft.	24 ft.
6.	Type of paving (minimum)	Asphalt or concrete installed to city specifications				
7.	Tangents between curves (minimum)	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
8.	Minimum street centerline elevation	<p>"All streets must be built at a centerline elevation so that the registered professional engineer demonstrates to the Stormwater Management Director, or his/her designated representative's satisfaction that the water surface elevation will not exceed the height of the curb for the 50-year, 24-hour storm event.</p> <p>In all cases, all streets shall have a minimum street centerline elevation of 7.5 feet MSL (1929 datum)."</p>				
9.	Drainage	To be approved by the stormwater management director or his designated representative. All new subdivisions and all expansions of existing subdivisions shall be required to comply with the stormwater management ordinance.				
10.	Sidewalks:	Width/Thickness				
a.	Single-family residential	4 ft./4 in. PCC	4 ft./4 in. PCC	4 ft./4 in. PCC	Not Required	
b.	Multifamily residential	6 ft./4 in. PCC	6 ft./4 in. PCC	6 ft./4 in. PCC	6 ft./4 in. PCC	6 ft./4 in. PCC (one side)
c.	Commercial	6 ft./4 in. PCC	6 ft./4 in. PCC	6 ft./4 in. PCC	6 ft./4 in. PCC	6 ft./4 in. PCC (one side)
11.	Trees	To be approved by Park and Tree director or his designated representative. All new subdivisions and all expansions of existing subdivisions shall be required to comply with the tree ordinance.				

Footnotes:

In the above list of improvements required, the detailed drawings for construction purpose must be approved by the city engineer. The city engineer maintains a book of standard specifications (including technical provisions), standard detail and design directives for use by the developer and his engineer.

PCC is the abbreviation for Portland cement concrete.

Except as hereinafter provided, where a major subdivision abuts on an unpaved street which does not meet the design requirements of this chapter, the subdivider shall cause the street to be upgraded to meet the right-of-way, drainage and surface condition requirements of this chapter.

-
- (t) *Right-of-way requirements to major arterials and secondary arterials.* In the case of major arterials and secondary arterials, a developer shall be required to dedicate a 70-foot right-of-way. If the MPC determines that additional right-of-way is required for such streets, then the city shall negotiate with the developer for such additional right-of-way.
 - (u) *Pavement widths for major arterials and secondary arterials.* For large planned developments or where a subdivision proposes business and/or industrial development and as the result of such development the MPC determines that a pavement width of greater than 36 feet is required for major arterials and secondary arterials, then the developer shall be responsible for providing such additional pavement. Where it is determined that such pavement shall be greater in width than 36 feet for a residential subdivision, the city shall negotiate with the developer the construction of such additional pavement.
 - (v) *Lanes.* Lanes shall be provided in commercial and industrial districts; except that the MPC may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with and adequate for the uses proposed.

Such lanes shall conform to the following specifications:

- (1) The width of a lane shall be not less than 20 feet.
 - (2) Dead-end lanes shall be avoided where possible, but if unavoidable a dead-end lane shall be provided with a turnaround having a diameter of not less than 80 feet.
- (w) *Existing unpaved streets.* Any major subdivisions fronting on an existing unpaved street must provide for the paving of said street under the provisions set forth in these regulations.

A complete list of all existing unpaved streets or segments thereof shall be maintained by the Director of the Streets Maintenance Department and shall constitute those streets within the City of Savannah which are unpaved. Any unpaved roadways within the city not listed therein shall be deemed to be unopened streets.

- (x) *Street lighting.* The developer shall be required to provide a street lighting system as part of the subdivision development plan. The street lighting system shall be located, designed, and installed in accordance to the plans, specifications, and standards set forth by the city traffic engineer. The actual installation of the lighting system shall be performed by the electric service provider, and the developer shall pay the electrical service provider the pole contribution-in-aid charges of \$135.00 or whatever the current tariff is as set forth in the public service commission tariff.

(Ord. of 10-13-1994(1), § 1; Ord. of 10-13-1994(2), § 1; Ord. of 12-8-1999(1), § 8-2006; Ord. of 5-17-2001(2), § 1; Ord. of 7-12-2001(1), § 1; Ord. of 12-27-2001(2), § 2)

Cross references: Streets and sidewalks, § 4-1001 et seq.

Sec. 8-2023. Lots.

All lots which shall hereafter be established within a subdivision shall comply with the following design standards:

(a) *General provisions.* The following general requirements shall apply to all lots hereafter established within a subdivision:

(1) *Street access.* All lots established within a subdivision shall conform to the following access requirements:

a. Within a subdivision containing four or more lots, each lot shall abut on a publicly dedicated street or a publicly approved street. All such streets shall conform to the design requirements of this chapter. Provided that the MPC may approve a plat which contains lots which do not abut a public street or a publicly approved private street under the following conditions:

1. A private street or drive is contained within a common area and serves each lot within the subdivision.
2. The layout and design of the vehicular access and circulation plan, including off-street parking, has been reviewed and approved by the city traffic engineer and determined to provide access to each lot within the subdivision.
3. The city is held harmless for maintenance and liability for any private areas of the subdivision, and such shall be so stated on the plat with the following notation: "The maintenance of all private and common areas of this subdivision, including but not limited to drives, streets and parking, shall be provided by and shall be the responsibility of the owners of lots within the subdivision and shall not become a

responsibility of the City of Savannah. The City shall be held harmless from any liability associated with the establishment and maintenance of such common areas."

4. A legal instrument is submitted along with the plat for recording stating the mechanism for insuring maintenance of the private common areas, including any covenants, deed restrictions or other provisions proposed for the subdivision.

5. Where the MPC finds that other measures are necessary to protect the public interest or the interest of potential purchasers of lots within the subdivision, then the MPC shall require such other measures as a condition of plat approval.

b. Within a subdivision containing three or fewer lots, the MPC may approve a private vehicular access easement to serve such subdivision provided that:

1. One of the lots within the subdivision abuts on a public street.
2. The width of the tract of land to be subdivided is not more than 100 feet.
3. The width of the vehicular access easement is not less than 30 feet.
4. The driving surface within such easement is not less than 18 feet.
5. The driving surface of the driveway within the easement may be unpaved but shall be constructed to city specifications.

- 6. The lots to be served by the easements are zoned single-family residential.
- 7. The easement does not exceed 750 feet in length.
- 8. The easement serves no more than three lots.
- 9. The following notation shall be placed on the subdivision plat: "The private vehicular access easement is hereby dedicated perpetually for use by the owners and residents of all lots within this subdivision and will not be maintained by the City."

suitable building site of sufficient elevation to permit construction utilizing a lowest floor elevation of at least the level of the 100-year flood. The entire lot shall be properly drained. Special emphasis will be placed on requirements as given in the city's flood damage prevention ordinance [chapter 7 of this part 8].

- (2) *Lot lines.* Side lot lines shall be as nearly as practical at right angles to straight street lines and radial to curved street lines.
- (3) *Corner lots.* Corner lots for residential use shall be provided with sufficient width and depth to permit the establishment of appropriate building setback lines from both streets. A minimum of 20-foot radius shall be provided at the corner next to the intersection.
- (4) *Double-frontage lots.* Double-frontage lots shall only be permitted where it shall be found necessary to separate a development from major arterials or to overcome specific disadvantages of topography and orientation.
- (5) *Minimum lot elevation.* No lot shall be approved that does not contain a

- (6) *City limits and lot lines.* Lots shall not be divided by corporate boundary lines except where unavoidable.
- (b) *Lot width and lot area requirements.* Lots hereafter established within subdivisions shall conform to the lot area and lot width requirements set forth in the following schedule; provided, however, that if a zoning ordinance is in effect, then the lot area and lot width requirements for the zoning district in which the subdivision will be located shall apply when such requirements are more restrictive than as set forth in subsections 1 and 2. The "required" lot area shall be exclusive of areas delineated as wetlands by the U.S. Army Corps of Engineers, shall abut the approved access for said lot, and shall be of a uniform contiguous shape which complies with the minimum standards of the subdivision and zoning regulations pertaining to lot area, lot width, and required setback lines; provided, however, the MPC may approve a proposed lot which does not meet the minimum standards upon a finding that the standard lot being proposed will adequately accommodate the intended use and purpose without adversely impacting the prospective property owner, the adjoining properties, or Chatham County.

(1) *Residential lots.*

TABLE INSET:

Condition Residential Lots	Minimum Lot Width at Front Building Line (in feet)*	Minimum Area (square feet)
a. Public water supply and public sewers	60; or 18 if authorized by the zoning district regulations	6,000; or 1,200 if authorized by the zoning district regulations
b. Public water supply and septic tank	As approved by the Chatham County Health Department as required by Georgia Department of Human Resources "Manual for On-Site Sewage Management Systems"	
c. Individual private water and septic tank	As approved by the Chatham County Health Department as required by Georgia Department of Human Resources "Manual for On-Site Sewage Management Systems"	

* The minimum lot width of all single family detached lots located along a permanent turnaround or along a *horizontal curve with a degree of curvature of 74 or more (this equates to the outside of a road curvature 100 degrees or less)* may be reduced up to 20 percent provided that the front yard building setback line shall be located on the lot at a point where the lot meets or exceeds the minimum required lot width.

(2) *Commercial and industrial lots.* Depth and width of lots to be laid out or reserved for industrial and commercial purposes shall be adequate for the type of development contemplated and adequate to provide off-street parking and loading facilities and service facilities.

(3) *Well sites.* Water wells for new water systems that provide piped water to the public for human consumption and have at least 15 service connections or regularly serve an average of 25 individuals daily at least 60 days out of the year shall be established on separate lots of record that shall be a minimum of 50 feet in depth and 50 feet in width. The minimum area of such lots shall be 2,500 square feet. Such lots shall be established only with direct access onto a public street or be served by a publicly approved private vehicular access easement not less than 20 feet in width. Activities permitted on such lots shall be limited to those activities directly related to construction, operation, or maintenance of a well.

(c) *Building lines.* Building line setbacks along a street shall be provided on all lots hereafter established and shall conform to the setback requirements established by the City of Savannah zoning regulations.

(Ord. of 8-4-1994(2), § 1; Ord. of 1-4-1996, § 1; Ord. of 6-17-1999(1), § 1; Ord. of 11-4-1999, § 1)

Sec. 8-2024. Blocks.

All blocks hereafter established within a subdivision shall conform to the following design standards:

(a) *Block lengths.* In order that there may be convenient access between various parts of a subdivision and between the subdivision and surrounding areas and in order to help prevent traffic congestion and traffic hazards, the length of blocks hereafter established shall not exceed 1,800 feet. The width of any residential block shall be sufficient to allow two tiers of lots of appropriate depth; provided, however, that this shall not prevent the inclusion

within any subdivision plan of blocks of greater width or of irregular outline, including superblocks which may contain, at or near their centers, public or joint use areas such as parks and playgrounds. Said interior parks shall be covered by adequate maintenance agreements, if not dedicated and accepted for public maintenance.

Sec. 8-2025. Easements.

The following kinds of easements shall be required within subdivisions:

(a) *Utility easements.* Public utility easements shall be provided where necessary. Such easements shall be not less than 15 feet in width and shall be centered on side or rear property lines when necessary. Temporary construction easements as required by standard engineering practices shall be provided. Where public utility easement rights-of-way are planned adjacent to the subdivision tract boundary, they shall be platted within said subdivision. In the event it becomes necessary to install or to make repairs to utilities in said easements, it shall be the property owner's responsibility to bear the cost of removing any building, structure or improvement of any kind or description which said property owner shall have built upon said easement, and this condition shall be included in the restrictive covenant and deed of transfer.

(b) *Drainage easements.* All drainage easements shall conform with the Stormwater Management Guideline for Private Development Activities.

(Ord. of 12-27-2001(2), § 3)

Sec. 8-2026. Monuments.

The subdivider shall provide stone or concrete monuments four inches in diameter or square, 30 inches long, with a flat top, which shall be set at each street corner, and at all points where the street lines intersect the exterior boundaries of the subdivision, and at angle points and points of curvature in each street. The top of the monument shall contain a metal pin or be scored with an indented cross to properly identify the location. The subdivider shall also

provide all interior lot corners of subdivisions with concrete monuments, iron pins or iron pipes. Iron pipes shall be at least one-half inch in diameter and 24 inches in length.

(Code 1977, § 8-2010)

Sec. 8-2027. Water supply and sewage disposal.

Each of the lots within a subdivision or a portion of a subdivision that is being opened shall have access to water supply that meets state drinking water quality standards and shall be capable of being served with a sewage disposal system that complies with the requirements of the state health department.

- (a) *Public water supply system.* When a public water supply system is accessible to a subdivision or a portion of a subdivision that is being opened, the developer shall be required to tie such subdivision or such portion of such subdivision to the public water systems, and the internal water service lines of the subdivision or portions of a subdivision shall be designed and installed to city specifications.

A public water supply system shall be deemed accessible when the average cost per lot of tying to the public water system or installing a well to city specifications and installing the internal water line system for the total tract of land to be developed does not exceed by more than 1.5 times the average cost per lot of serving each lot with a private deep well if such tract was divided into lots of the minimum width permitted by the subdivision regulations and such lots are served by a public sewer system and a community water system. The average cost per lot of tying to the public water system will be determined by estimating quantities of various construction items from a preliminary layout of the system and applying unit prices. Detailed engineering drawings shall not be required to estimate the cost. When a well is installed to serve a subdivision, such well and the internal water line system shall be designed and installed to city specifications and shall be dedicated to the city.

- (b) *Public sewer system.* When a public sewer system is accessible to a subdivision or portion of a subdivision that is being opened, the developer shall be required to tie such subdivision or

such portion of such subdivision to the public sewer system, and the internal sewer service lines of the subdivision or such portion of the subdivision shall be designed and installed to city specifications.

A public sewage system shall be deemed accessible when the average cost per lot of tying to the public sewer system and installing the internal sewer line system for the total tract of land to be developed does not exceed by more than 1.5 times the cost of serving such tract with a private sewage system or with a private septic tank if such tract was divided into lots of the minimum width permitted by the subdivision regulations and such lots are served by a public sewer system and a community water system. The average cost per lot of tying to the public sewer system will be determined by estimating quantities of various construction items from a preliminary layout of the system and applying unit prices. Detailed engineering drawings shall not be required to estimate the cost.

- (c) *Water supply by individual wells.* When the city shall determine, as set forth in section 8-2027(a), that a public water system is not accessible to serve the subdivision (either by tying to the public water system or by installing a well and internal water distribution system and dedicating it to the city), then the city shall permit individual wells to be placed on each lot; provided, however, that the state health department certifies that the wells on each lot will comply with state requirements for drinking water quality standards.

- (d) *Septic tanks on individual lots.* When the city shall determine, as set forth in section 8-2027(b), that a public sewage system is not accessible to serve the subdivision, then the city shall permit individual septic tanks to be placed on each lot, but only if the state health department shall first certify that the lots in such subdivision can individually and collectively accommodate septic tanks without creating ground pollution or water pollution problems.

Cross references: Water supply and distribution, water and sewer services generally, § 5-1001 et seq.

Sec. 8-2028. Fire hydrants.

Fire hydrants shall be required for all subdivisions served by a public or private internal water distribution system and shall be located and designed to the Director of Water and Sewer Planning’s specifications.

Cross references: Fire prevention and protection, § 3-2001 et seq.

Sec. 8-2029. Benchmarks.

At least two benchmarks shall be established within a subdivision. Such benchmarks shall be at opposite corners of the property being subdivided. For subdivisions consisting of more than 15 lots, there shall be provided one additional benchmark for every ten additional lots or fraction thereof.

Sec. 8-2030. Preservation of noteworthy features.

In all subdivisions, to the maximum degree reasonably practicable, as determined by the MPC, efforts shall be made to preserve historic sites, scenic points and views, large trees and other desirable natural growths, watercourses and other water areas, and other features worthy of preservation, either as portions of public sites and open spaces, or in such other form as to provide amenity to the neighborhood.

- (a) Large trees or other desirable natural growths located in public or private street rights-of-way or public or private easements shall not be removed unless such removal is necessary for the installation of utilities or drainage structures or for other purposes in the public interest.

Sec. 8-2031. Environmental site assessment (ESA).

- (a) *Environmental site assessment required.* All applications for final subdivision plat approval, except as set forth herein, shall be accompanied by an ESA for the property in question. The ESA shall conform to the standards and requirements set forth for such reviews in the City of Savannah engineering department design directives. No final subdivision requiring an ESA shall be approved until the ESA has been reviewed and approved by the city engineer. Until such approval is given, no plat shall be recorded and no

development within the proposed subdivision shall occur.

- (b) *Exceptions.* An ESA shall not be required for subdivisions wherein (a) all proposed lots are already developed and built upon, (b) the subdivision involves only a recombination of previously platted lots, or (c) the subdivision is a minor revision to a recorded plat.
- (c) *Reviews for large tracts of land.* Where a subdivision involves a large tract of land and is to be developed in phases, the master plan submittal for the entire tract shall not require an ESA. The final plat(s) shall be accompanied by an ESA.
- (d) *Waiver for Minor Subdivisions.* The city engineer is authorized to waive proposed minor subdivisions from the Subdivision Regulations Environmental Site Assessment requirement if the owner provides the city engineer with reasonable evidence that the property was never used as a landfill, and that other environmentally dangerous situations do not exist. The property owner shall request the waiver in writing, accompanied by all available information concerning former or existing landfills or other environmentally dangerous situations in the vicinity of the subdivision. The Engineering Department shall investigate the request, and if no evidence is found to indicate the presence of a landfill or other environmentally dangerous situation, then the waiver will be granted in writing by the city engineer.

Secs. 8-2032--8-2040. Reserved.

ARTICLE H. ADMINISTRATION*

***Cross references:** Government and administration, pt. 2.

Sec. 8-2041. Administrative agency.

The MPC shall administer this chapter. The MPC shall have authority to adopt, with the approval of the mayor and aldermen, procedures and specifications relating to the administration of these regulations and to the technical data required in these regulations. Said procedures and specifications, as hereinafter adopted or amended, shall be considered a part of these regulations. It shall be the duty of the MPC to

review concept plans and to suggest changes which should be made in the proposed design of a subdivision to ensure the approval of the concept plans. It shall be the duty of the MPC to review construction plans and to approve or disapprove such plans. It shall be the duty of the MPC to review final plats and the information submitted with such final plats and to approve such final plats when the requirements of this chapter have been met and to disapprove such final plats when the requirements of this chapter have not been met. Final plats shall be forwarded to the mayor and aldermen for acceptance of dedications where applicable.

Sec. 8-2042. Concept plan.

Previous to the filing of an application for approval of construction plans, a concept plan may be submitted to the MPC for review. When submitted, a concept plan shall show in simple sketch form the proposed layout of streets, roads, lots and other features in relation to existing conditions. Except for large subdivisions (as determined by staff) which shall be a scaled drawing, the concept plan may be a freehand pencil sketch made directly on white bond paper. Concept plans shall include the following information:

- (a) The boundary lines of the property being subdivided;
- (b) Watercourses and marshes found on the tract of land to be subdivided and the limits of habitable area;
- (c) The location, name and right-of-way width of any existing streets on the land to be subdivided, or on land adjacent to the tract of land being subdivided;
- (d) The location of all improvements on the site to be subdivided.

(Ord. of 3-16-1994, § 1)

Sec. 8-2043. Construction plans.

Before work shall begin to open a subdivision, eight paper prints of construction plans, showing the proposed design of the subdivision, shall first be submitted to the city engineer for review and approval. **When received by the city engineer, a copy is to be forwarded to the MPC for review and approval. The MPC will keep the city engineer informed of its actions.** Until the construction plans of a proposed subdivision have been approved by the MPC and the city engineer, a developer shall not grade, scrape or otherwise open or extend a street in the proposed

subdivision, nor shall he stake out or lay out lots in such subdivision, nor shall he in any manner cause construction to actually begin on a subdivision.

- (a) *Plan requirements.* The construction plans shall be drawn at a scale of not less than 200 feet to the inch. The construction plans shall contain the following information:

- (1) *Existing features.*

- a. The bearings and distances of the boundary line of the property to be subdivided.
- b. The location of any streams, natural drainage ways or other waterways which exist on the property.
- c. The distance and direction to public water lines and sanitary sewer lines.
- d. The name, location and right-of-way width of existing streets, either on the property or on the land adjoining the property.
- e. Existing contours of the property in dashed lines and at one-foot intervals and based on mean sea level datum.
- f. The name of the subdivision or property owners adjoining the property.
- g. The location of railroads, of public or private right-of-way or easements, and of parks or other public spaces, either on the property or adjoining the property.

- h. All areas delineated as wetlands by the United States Army Corps of Engineers or wetlands consultant and/or areas established as conservation easements by the United States Army Corps of Engineers.

- (2) *Proposed design features.*

- a. The location, purpose and width of any proposed drainage or utility easements.

- b. Lot lines and lot dimensions; proposed lot numbers and block numbers.
- c. The location and specifications for proposed streets, lanes, including right-of-way lines, proposed paving, proposed finished grades, proposed pavement width, if any; profiles and typical cross sections of such streets; and such other information as shall be required to show compliance with the design specifications established by this chapter for streets.
- d. Proposed street names.
- e. All plans shall show the expected limits of the 100-year flood in such a manner as to clearly show all lots and portions of lots which may be subject to flooding. Proposed final contours shall be shown in a solid line at one-foot intervals and shall be based on mean sea level datum.
- f. Proposed building line.
- g. Proposed crosswalks.
- h. The location of proposed monuments and street name signs.
- i. Public use requirements. In laying out proposed subdivisions, subdividers shall give due consideration to the master plan showing thoroughfares, road classifications, sites for schools, playgrounds, playfields, parks, and other open spaces.

(3) *Other Information.*

- a. Name of proposed subdivision, scale of the plat, north arrow, date, size of the tract being subdivided, key map showing location of the proposed subdivision in the city.
- b. Design drawings and calculations from the design engineer shall be submitted with the construction plans, which shall describe the method by which storm sewers, sanitary sewers, and water

facilities will be provided. If septic tanks or individual waste disposal systems are to be used in a subdivision, then soil classification and percolation tests shall be made in accordance with county health department requirements; and the results of such test, together with a contour map showing the site of each test hole shall accompany the construction plans. Grading and drainage plans and design considerations shall be submitted with each construction plans for subdivision. Drainage calculations shall comply with the requirements of the city's stormwater management ordinance.

(4) *Filing of construction plans.* The construction plans shall be filed with the MPC not less than 20 days prior to the regular MPC meeting at which it is to be considered.

(5) *Action on construction plans.* If the MPC finds that the proposed design of the subdivision shown on the construction plans complies with the design requirements of these regulations, it shall approve such construction plans. No construction plans shall be approved by the city engineer unless the city engineer first obtains the approval of the MPC, except as is set forth in section 8-2064. Said agencies shall approve, with or without modification, or disapprove the construction plans to the extent that each has jurisdiction. If the MPC finds that the proposed design of the subdivision shown on the construction plans does not comply with the design requirements of these regulations, then the MPC shall either disapprove such plan or shall approve such plan on the condition that specified violations are corrected prior to the submittal of the final plat. When the MPC disapproves a construction plans, it shall give the developer the reasons for such disapproval in writing.

Except where an extension of time is authorized by the applicant for construction plans review, the MPC shall have 30 days from the date of the submission of a construction plans to act on such plan. Unless action is taken on an application for construction plans review within the 30-day period, the construction plans shall be deemed approved, and a certificate of approval shall be issued by the MPC on the demand of the applicant. The MPC shall furnish the applicant for construction plans approval a copy of its decision within five days after the meeting at which such plan was acted on.

- (6) *When construction plans approved work may proceed.* When a developer receives approval of the construction plans showing the design of his proposed subdivision, he may proceed with the construction of the subdivision, provided the final construction plans have been approved by the city engineer. Such construction shall conform with the design submitted to and approved by the MPC. Construction supervision shall be provided by the engineer responsible for preparing said plans.
- (7) *Time limit on approval.* The MPC's approval of a construction plans shall be valid for one year. If work has not started on a subdivision which has been granted approval on or before the end of this one-year period, then the plan of such subdivision shall be resubmitted for approval.

(Ord. of 3-16-1994, § 1; Ord. of 1-4-1996, § 1; Ord. of 12-27-2001(2), § 4)

Sec. 8-2044. Final plat.

Before a plat of a subdivision is recorded with the clerk of the superior court of Chatham County and the lots thereon offered for sale, eight paper prints of a an unsigned final plat showing the final design of the subdivision shall be submitted to the MPC for review. A digital drawing submittal of the final plat shall also be

provided to the MPC. A final plat which is consistent with the previously approved construction plans may be approved by the MPC staff. Until a final plat of a subdivision has been submitted to and reviewed by the MPC and approved and signed by the mayor and aldermen of the city, if appropriate, the clerk of the superior court of Chatham County shall not record the plat of such subdivision, nor shall the owner or agent of such subdivision be authorized to transfer or sell any of the land within such subdivision by reference to a plat. For major subdivisions, that are constructed in phases the final plat may be submitted for approval progressively in continuous sections satisfactory to the MPC.

- (a) *Final plat requirements.* The original copy of the final plat shall be plotted on 18-inch by 24-inch sheets of mylar or other material having equal properties, at a scale of not less than 200 feet to the inch. Where necessary the final plat may be several sheets accompanied by an index sheet showing the entire subdivision. The requirements for the digital submission of the final plat shall meet the standards set forth in the City Engineer's "Digital Data Submission Standards Design Directive." The final plat shall contain the following information:
 - (1) Two or more primary control points or points of reference to which all dimensions, angles, bearings and similar data on the plat shall be referred and shall be shown/labeled on the plat.
 - (2) Tract boundary lines; right-of-way lines of streets, easements and other rights-of-way; property lines of all lots; and in all such cases with surveyed dimensions. Bearings or deflection angles, radii, arcs and central angles of all curves shown.
 - (3) Name and right-of-way width of each street or other right-of-way.
 - (4) Location, dimensions and purpose of any easement.
 - (5) Number to identify each lot or site.
 - (6) Purpose for which sites, other than residential lots, are dedicated or reserved.

(7) Minimum building setback line on all lots and other sites.

section 8-2005 (c) (31). This is to include streets, drainage facilities and common property.

(8) Location and identification of monuments, including a note identifying the symbol used for such monuments.

(13) Title, scale, north arrow and date(s) of field survey.

(9) Names of record and plat references of adjoining property owners.

(14) Key map, with north arrow showing the location of the subdivision in the city.

(10) Reference to recorded subdivision plats and property survey plats by record name.

(15) All plats shall show the expected or actual limits of the 100-year flood when the plat area is within these limits.

(11) Certificate that all survey work was performed by a registered land surveyor.

(16) When the final plat includes a proposed subdivision for which the developer intends to apply for either federally assisted or federally insured housing developments, the developer shall simultaneously submit with his final plat information required for the MPC to carry out an A-95 review of the proposed development, unless such has been submitted previously with the construction plans.

(12) Statement by owner, on the plat, dedicating streets, rights-of-way, easements and any sites for public use. This statement shall be signed by the owner, or his attorney as agent, and shall read as follows:

"All streets, rights-of-way, easements and any sites for public use as noted on this plat are hereby dedicated for the uses intended."

Where stormwater detention ponds and other common areas are present the plat shall also include this statement:

"All common areas, including stormwater detention ponds and their associated outfall structure(s) shall be maintained by the owner or home owner association."

(17) All property use restrictions, including but not limited to conservation easements and restrictive covenants, imposed by the federal or State of Georgia agencies.

(Owner or Attorney as Agent)

(18) All areas established as conservation easements and areas delineated by the United States Army Corps of Engineers as wetlands, including wetlands which have been permitted for filling by the Corps.

Such dedications must be formally and specifically accepted by the mayor and aldermen before such dedications shall be binding on the city. If the subdivision is to be private, it needs to be so indicated on the plat in accordance with

(19) Signature block for major subdivision as follows:

APPROVED BY THE CHATHAM COUNTY DEPARTMENT OF HEALTH, DIVISION OF ENGINEERING AND SANITATION

(Name of Director), Director Date

APPROVED BY THE CITY ENGINEER, CITY OF SAVANNAH

(Name of City Engineer), City Engineer Date

(Name of Clerk of Council), Clerk of Council Date

APPROVED BY THE METROPOLITAN PLANNING COMMISSION

(Name of Executive Director), Executive Director Date

(b) *Cross sections and profiles.* The cross sections and profiles of streets showing grades approved by the city engineer shall accompany the final plat. The profiles shall be drawn to city standard scales and elevations and shall be based on mean sea level.

(c) *Certification from county health department.* If lots are not to be served by either public sewers or public water or both, then the final plat shall be accompanied by a certificate from the county health department certifying health department approval of the water supply system and/or waste disposal system to be used and health department approval of lot sizes and lot widths established in such subdivision.

(d) *Certificate from city engineer.* At the time the final plat is submitted, it shall be accompanied by a certificate from the city engineer certifying that the subdivider has complied with all of the following conditions:

- (1) All infrastructure improvements have been installed in accordance with the requirements of this chapter and all other applicable ordinances and standards and in accordance with the design approved by the MPC on the construction plan, or a construction bond, escrow account, certified check, letter of credit or equivalent security has been posted, which is available to the city, and in sufficient amount to assure: (1) the completion of all required improvements, and (2) to assure the maintenance thereof for a period of not less than 12 months after completion. The mayor and aldermen, upon recommendation of the city engineer, may reduce the construction bond or escrow account 50 percent upon completion of construction. If no faults or failures develop, the remaining construction bond or

escrow may be reduced an additional 50 percent at the end of six months. At the end of the second six months, the developer shall request an inspection, and if no faults or failures have developed, the mayor and aldermen shall release the construction bond or escrow. Construction bonds or escrow shall remain in force until released by the city engineer after due inspection of said improvements and shall not automatically expire at the end of 12 months. Maintenance bonds or escrow shall automatically expire at the end of 12 months from the date of completion of construction.

- (2) Bonds posted, cash deposited (which may include a letter of credit), or other instruments provided pursuant to these regulations shall run to the city and provide that the subdivider, his heirs, successors and assigns, and their agents and servants, will comply with all applicable terms, conditions, provisions and requirements of these regulations, and that the subdivider will save the city from any unnecessary expense incurred through the failure of the subdivider, his heirs, successors or assigns, or their agents or servants, to complete the work of said construction and installation as required by these regulations and from any damage growing out of negligence in performing or failing to perform said construction and installation.

Before acceptance, any said bond or cash deposit shall be approved by the city. If a bond is offered, it shall be executed by a surety or guaranty company qualified to transact business in the State of Georgia and approved by the mayor and aldermen. If cash is offered, it shall be deposited with

the city, who shall give an official receipt therefor, reciting the amount and purposes of said deposit and that the deposit has been made in compliance with and subject to the provisions of these regulations.

- (3) Bonds and/or cash posted pursuant to these regulations shall be released or returned, as the case may be, at such time as the facilities guaranteed thereby have been installed and accepted. Acceptances shall be in writing, accurately identifying the improvements covered. Facilities shall not be accepted unless they conform to the applicable specifications and requirements.
- (4) If the construction or installation of any improvements or facilities for which a bond or cash is posted or deposited is not completed within three months after substantial completion of any buildings or structures which said improvements or facilities are designed to serve, or within two years after the date of recordation of the final plat, whichever is sooner, or if said construction or installation is not in accordance with the applicable specifications and requirements, the city may proceed to construct, install or modify said improvements or facilities in accordance with the applicable specifications and requirements, and in the case of a corporate bond, the obligors on the bonds shall be liable for the expense incurred thereby, or in the case of a cash deposit, the city shall use as much of said cash as is necessary to so construct or install said improvements or facilities. To the extent that any portion of a cash deposit is not required or used by the city, said excess cash shall be repaid to the person making the deposits upon acceptance of the improvements or facilities or as provided for elsewhere in these regulations. The default provisions of this section shall not apply when the governing body acts to permit a subdivider to remove his subdivision from the land records of Chatham County in accordance

with the provisions of these regulations.

- (5) If cash deposit is made pursuant to these regulations, the city and the subdivider shall have the authority to enter into a written agreement itemizing the several phases of the construction or installation in sequence with an amount opposite each phase representing 85 percent of the estimated cost of the work and materials thereof, and providing that each amount so listed shall be repaid to the subdivider upon successful completion of the particular phase of said work represented by said amount; provided, that at least 15 percent of the total deposit shall not be repaid until all construction and installation covered by the deposit is completed.
- (6) One or more bonds or cash deposits or any combination thereof shall be held to be in compliance with this section so long as the total is equal to the total required; provided, however, that no bond shall be released or cash deposit repaid for a lesser or smaller portion of the construction or installation work that is required by these regulations and/or other city specifications and requirements to be installed or constructed as a unit, except in the case of installment agreements. If subsequent to the posting of a bond or the deposit of cash under these regulations it can be established that the amount thereof is more than required because subsequent estimates by the city established that the work can be constructed, installed or maintained for a lesser amount than the amount of the bond posted or cash deposited hereunder, the bond or cash so posted or deposited may be released or repaid proportionately.
- (7) The owner/developer is responsible for the satisfactory completion of the improvements required in the subdivision in accordance with the provisions of these regulations for a period of one year and is required to post with the city a utility warranty bond which is available to the city in the amount of ten

percent of the construction bond or cash in reserve which was posted to ensure the completion of all the said required improvements. Said bond shall be valid for a period of one year beginning on the date of final acceptance of the said required improvements by the city. If the owner/developer does not correct the deficiency or commence work within ten days after receiving notice from the city of the failure of any or all of the improvements required in accordance with these regulations, it shall be deemed to be a failure on the bond, and the city shall have the right to make the necessary repairs, either by public work or by private contract, and the bond aforesaid shall be liable for the full amount of the cost of said repairs. The utility warranty bond shall remain in force until released by the city engineer after the inspection of said improvements and shall not automatically expire.

- (8) Inspection of required improvements. During construction of the improvements as shown on an approved subdivision plat or as required by this chapter, the developer's engineer shall inspect such improvements during the course of their construction, and such inspections shall be made in the manner and reported in the manner specified by the city engineer or his representative shall inspect and approve such improvements prior to the release of any sureties held by the city to assure the satisfactory completion and/or maintenance of such improvements. If damage to these improvements is caused by the construction of subsequent phases of the subdivision, the damage shall be satisfactorily repaired prior to the release of any sureties held by the city for the subsequent phased improvements.
- (e) *Filing the final plat.* The final plat shall be filed with the MPC not less than 20 days prior to a regular meeting of the MPC.
- (f) *Action on final plat.* If the MPC finds that all the requirements of

this chapter have been met, it shall approve the final plat and submit such plat to the mayor and aldermen for acceptance of any dedications. If the MPC finds that all the requirements of this chapter have not been met, and after deficiencies have been discussed and reviewed with the sponsor, and the sponsor given a period of time which shall not exceed 90 days to take corrective action, then the MPC shall disapprove the final plat and shall set forth its reasons for such action in writing. Except where an extension of time is authorized by the applicant for final plat review, the MPC shall have 30 days from the date of the submission of a final plat to act on such plat. Unless such action is taken within such 30-day period, then such plat shall be deemed to have been approved by the MPC.

- (1) When the final plat has been approved, the MPC shall present the final plat to the clerk of the superior court of Chatham County, Georgia, to be recorded. The MPC shall provide the subdivider with the subdivision map book number and page number in which the subdivision has been recorded by the clerk of the superior court. The cost of such recording shall be paid by the subdivider and shall be deposited with the MPC prior to such recording.
- (2) After the final plat of the subdivision has been recorded, then all lots shown on such subdivision may be made available for sale, and such subdivision shall be entitled to all privileges and services available to other subdivisions within the city.
- (3) Unless the subdivider specifically requests the MPC to delay having said plat recorded, the subdivider shall be deemed to have authorized the MPC to have the approved final plat recorded.
- (4) Every final plat approved for recording with the clerk of the superior court, of Chatham County shall be deemed to be an

amendment of or an addition to the master plan for the city.

- (5) The approval of a final plat shall not be deemed to constitute or effect an acceptance by the public, the county or the city of any street or other ground shown upon the final plat. (See (a) (12) of this section).
- (6) The approval of a final plat shall be conditioned upon the receipt by the MPC of a certificate stating that sufficient cash in reserve or bond or bonds (guaranteeing the installation of public improvements within the proposed subdivision) has been accepted by the city.
- (7) Within two years from the date or recordation of a final plat, all public improvements required by these regulations shall be completely installed and constructed within the area covered by such final plat unless the MPC shall recommend to and the city grants an extension of time for completion. The subdivider may, after a subdivision has been recorded, petition the appropriate governing body for permission to remove said subdivision from the land records of Chatham County. The governing body may permit such removal provided no lot in the subdivision has been sold. Upon giving its permission for such removal, the governing body shall release the bonds and/or cash posted by the subdivider pursuant to the provisions of these regulations.

(g) *Revisions to recorded plat.* Both major and minor revisions to recorded plats require notes that specifically identify the revisions. Revised plats must be stamped and signed by a registered land surveyor and all property owners affected by the revisions.

- (1) *Major revisions.* The subdivider shall file with the MPC eight paper prints of the proposed revision to a recorded plat, together with all supporting information as required by these regulations. Proposed revisions to a recorded plat which alter or change in any way the

street and/or utility layout of said plat shall be submitted as a construction plans in accordance with section 8-2043 of these regulations.

- (2) *Minor revisions.* Proposed revisions to a recorded plat which do not alter or change in any way the street and/or utility layout of said plat shall be submitted as follows:
The subdivider shall file with the MPC four paper prints of the original plat with all minor revisions clearly differentiated for review. The plats shall be accompanied by a statement signed by all affected property owners acknowledging their awareness of and approval of the revisions. Proposed revisions shall be reviewed by the MPC's staff and the city engineer. Upon a finding that the revisions comply with all applicable regulations, two revised mylar plats shall be signed by the city engineer, the MPC executive director, and the clerk of superior court. One copy of the revised mylar plat shall be recorded, and one copy shall be attached to the originally recorded plat as part of the public record.
- (3) *Recombinations.* The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots conform to the lot width and area standards set forth in this chapter shall be processed as a minor subdivision as set forth in section 8-2045.

(Ord. of 3-16-1994, § 1; Ord. of 1-4-1996, § 1; Ord. of 12-12-2001(2), § 5)

Sec. 8-2045. Minor subdivisions.

Minor subdivisions may be submitted as final plats and shall comply with the requirements of these regulations, including minimum finished floor elevation requirements, with the following exceptions:

- (a) Minor subdivisions shall not be required to have MPC review unless so requested by the MPC staff, other review agency or the developer. Minor subdivisions may be referred to the MPC for processing as a major subdivision if requested by either the

MPC staff, other review agency, or the developer.

- (b) Topographic information shall not be required unless requested by the city engineer.
- (c) Soil classification and percolation information shall not be required unless requested by the health department.
- (d) Only one benchmark shall be required. An existing accessible benchmark within 200 feet of the petitioner's property, if shown on the plat, shall satisfy this requirement.
- (e) The developer shall submit a drainage plan for approval if requested by the Stormwater Management Department for the City of Savannah.
- (f) Minor subdivision final plats shall be approved and signed by the MPC's executive director, city engineer, Chatham County Health Department,

and the city manager. Provided that where lots are intended for or adaptable to further subdivision, or where a series of minor subdivisions are developed or proposed immediately adjacent to one another, the MPC staff or other review agency may require the developer to comply with the procedures for major subdivisions.

- (g) Residential lots having peculiar shape or topography may be approved utilizing private driveway access easements provided the purpose and intent of these regulations are met. Such easements shall have a minimum width of 20 feet. The following notation shall be placed on the subdivision plat: "This private driveway access easement is hereby dedicated perpetually for use by the owners and residents of all lots within this subdivision and will not be maintained by the City." This provision will only be applicable to minor subdivisions for the purpose of single-family use.

(h) Signature block for minor subdivision as follows:

APPROVED BY THE CHATHAM COUNTY DEPARTMENT OF PUBLIC HEALTH,
DIVISION OF ENGINEERING AND SANITATION

(Name of Director), Director Date

APPROVED BY THE CITY ENGINEER, CITY OF SAVANNAH

(Name of City Engineer), City Engineer Date

APPROVED BY THE CITY MANAGER, CITY OF SAVANNAH

(Name of City Manager), City Manager Date

APPROVED BY THE METROPOLITAN PLANNING COMMISSION

(Name of Executive Director), Executive Director Date

(Code 1977, § 8-2021)

Sec. 8-2046. Planned development subdivision.

It is the intent of this section to permit the subdivision of "out-parcels" located within a large-scale development such as a hotel-motel complex, shopping center complex, office complex, etc., for which a specific development has been approved by the MPC subject to the following conditions and standards:

- (a) Each lot shall abut and have access to a publicly dedicated street or a publicly approved private street. All such streets shall conform to the design requirements of this chapter. Provided, that the MPC may approve a plat which contains lots which do not abut a public street or a publicly approved private street under the following conditions:
 - (1) A private street or drive is contained within a common area

and serves each lot within the subdivision.

- (2) The layout and design of the vehicular access and circulation plan including off-street parking has been reviewed and approved by the city traffic engineer and determined to provide access to each lot within the subdivision.
- (3) The city is held harmless for maintenance and liability for any private areas of the subdivision, and such shall be so stated on the plat with the following notation: "The maintenance of all private common areas of this subdivision, including but not limited to drives, streets and parking, shall be provided by and shall be the responsibility of the owners of lots within the subdivision and shall not become a responsibility of the City of Savannah. The City shall be held harmless from any liability associated with the establishment and maintenance of such common areas."
- (b) The number of lots for such subdivision shall be limited to the number of lots as shown on the approved specific development plan.
- (c) Deed restrictions shall be placed on each lot prohibiting subsequent purchasers from further subdivision of such lot.
- (d) Protective covenants shall be placed on each lot to assure that the development of such lot is visually compatible with the overall development as shown on the approved specific development plan.
- (e) A legal instrument shall be submitted along with the plat for recording stating the mechanism for ensuring maintenance of the private common areas, including covenants, deed restrictions, as required in subsections (c) and (d), or other provisions proposed for the subdivision.
- (f) Where the MPC finds that other measures are necessary to protect the public interest of potential purchasers of lots within the subdivision, then the commission shall require such other measures as a condition of plat approval.

Secs. 8-2047--8-2060. Reserved.

ARTICLE I. EXEMPTIONS AND
MODIFICATIONS

Sec. 8-2061. Exemptions.

The following types of subdivisions shall not be defined as subdivisions and shall be exempted from the requirements of this chapter, pursuant to the provisions of the act authorizing the adoption of this chapter:

- (a) The subdivision of a tract of land into two or more lots, each having an area of five acres or more, and in which no new street is required as determined by the MPC. However, no plat shall be recorded until it has been submitted to the city engineer to determine if grading, drainage or utility plans are required. When such plans are required, they shall be approved by the city engineer prior to the recording of the plat.

A new street shall be defined to include the extension or construction of a public street, road or private vehicular access easement.

All divisions of land under this section shall have not less than a 60-foot frontage along a street as defined above unless otherwise approved by the MPC. Such street shall meet the design requirements of the city engineer.

- (b) Reserved.

Sec. 8-2062. Modification of right-of-way requirements.

The street right-of-way requirements of this chapter may be reduced on the request of the subdivider for a subdivision of four lots or less which involves the extension of an existing public street with a right-of-way width smaller than that required by this chapter. Provided, however, that such street extension or new street shall not exceed 400 feet in length and shall end in a permanent dead end or intersect another street. All land which abuts upon such street extension or new street shall be within the subdivision for which the modification of the right-of-way is granted and shall not be subject to further subdividing. In no case shall a right-of-way width be reduced to less than 40 feet.

Sec. 8-2063. Final plat approval only.

In the case of a subdivision which shall have lots fronting only on an existing, open and public street and which does not require a new street, or upgrading of the street to city specifications, the developer of such subdivision shall only be required to submit a final plat for approval.

Sec. 8-2064. Variances.

When a peculiar shape or the topography of a tract of land or other unusual condition makes it impractical for a developer to comply with the literal interpretations of the design requirements of this chapter, the MPC shall be authorized to vary such requirements, provided that in so doing the intents and purposes of this chapter are not violated.

Sec. 8-2065. Private streets and access easements.

(a) *Intent.* The intent of this section is to permit establishment of private streets or roads in subdivisions, where private streets or roads are deemed appropriate. Private streets or roads may be appropriately established to help preserve the environment, aesthetic quality, or historical or natural aspects of a development site. Private streets or roads shall only be permitted to be established:

- (1) Where such private road development would not effectively subvert or negate the benefit to the general public intended to be created by application of the public street requirements of this chapter; and
- (2) Where potential future development beyond the properties abutting the private road would not require use of the private road for traffic circulation; and
- (3) Where a permanent right-of-way or easement is established for such road as set forth herein to ensure continuation of access; and
- (4) Where such roads and associated drainage facilities are constructed to the design and construction standards for city streets and

stormwater management systems.

(b) *Procedure for establishment of private streets.* The following minimum standards shall apply to private streets:

- (1) All design, grading, drainage and construction plans for all private streets or roads hereafter established shall be prepared by a registered professional civil engineer. Construction supervision shall also be provided by the engineer responsible for preparing said plans.
- (2) A notation shall be placed on all plats of any subdivision in which a private street or road is established stating that all maintenance of the right-of-way or road surface shall be the responsibility of abutting property owners only.
- (3) The developer of any subdivision in which a private street or road is established shall provide the MPC and the mayor and aldermen with a maintenance agreement, consisting of covenants running with title to all lots served by such private street, indicating that the owners of such lots agree to assume the financial and legal responsibility for maintenance and operation of any such private street or road and the associated drainage facilities established.
- (4) The developer shall notify the initial purchasers of lots served by a private street or road, in writing, that the responsibility of maintenance and operation of the private street or road and private drainage features such as canals, ditches and swales shall remain with such lot owners. Failure to notify each such lot purchaser shall constitute violation of this chapter.
- (5) A private street or road may be dedicated to and accepted by the city for public street purposes, provided such private street or road meets the minimum design

and construction requirements for public streets of the city.

(6) The maintenance or improvement of the right-of-way or pavement surface of any private street hereafter established shall not be assumed by the city unless such street meets the city's minimum standards for public streets; provided that upon application of 51 percent of owners of frontage property abutting any private street, or upon a finding by the city engineer that essential access for public purposes is or is about to be dangerously impeded or hindered, the city may make necessary street or roadway improvements or repairs, install storm drainage systems, or make other necessary improvements and shall assess all costs to benefited abutting properties based on a ratio of current tax valuation. Such costs shall become and remain a lien on said properties until paid.

(7) All governmental agencies shall have right of entry to and right of passage on any private street, hereafter established, for the purposes of providing necessary public services to the residents or owners of areas served by such private streets.

(c) *Development standards for private streets.* All private streets shall conform to the design and construction standards for city streets.

(d) *Design and construction standards; private pedestrian access easement.*

(1) Minimum right-of-way width shall be four feet.

(2) Minimum paving, drainage, planting and grading requirements:

a. Minimum improvements shall be required according to the function or intent of the pedestrian easement provided that:

1. Minimum sidewalk width shall be four feet.

2. All soils shall be stabilized with adequate planting or other materials to protect against erosion.

3. Buffers or screening shall be established where required.

Sec. 8-2066. Establishment of private common open spaces or areas permitted.

Private common open spaces or areas may be permitted to be established as part of a subdivision or planned unit development provided that the establishment of such open spaces or areas are deemed appropriate and provided the following minimum requirements are met:

(a) Basic and final grading and drainage plans of all private common open spaces hereafter established as part of a subdivision or planned unit development shall be approved by the city engineer.

(b) A notation shall be placed on all plats of any subdivision or planned unit development in which private common open spaces or areas are established stating who shall be responsible for maintenance of the open spaces or areas.

(c) The developer of any subdivision or planned unit development in which private open spaces or areas are established shall provide the MPC and the city with a satisfactory maintenance agreement, consisting of covenants running with titles to lots in the subdivision or planned unit development, indicating where the financial and legal responsibility lies for maintenance and operation of any such private common open space or area which has not been dedicated to and accepted by the city.

(d) The developer shall state in the deed for each property in the subdivision the maintenance responsibilities for common private open spaces, streets and associated drainage facilities. The developer shall also notify the initial purchaser of every lot in the subdivision or planned unit development, in writing, that the responsibility of maintenance and operation of private common open spaces or areas shall remain the

responsibility of the owners within the subdivision. Failure of the developer to adequately notify each such lot owner shall constitute violation of this chapter.

- (e) Private open spaces or areas may be dedicated to, and may be accepted by, the city, provided the title and physical conditions of such spaces or areas meet the minimum requirements of the city.
- (f) All governmental agencies shall have right of entry to and right of passage on any private open space hereafter established for the purposes of providing necessary public services to the residents or owners of areas served by such private open spaces.

Secs. 8-2067--8-2080. Reserved.

ARTICLE J. PENALTIES

Sec. 8-2081. Violation a misdemeanor.

Any person violating any provision of this chapter shall, upon conviction, be deemed guilty of a misdemeanor and shall be subject to such penalties as are provided by law for other misdemeanors. It shall be unlawful to convey, obtain a building permit, or improve property by the construction of buildings on lots of any land subdivision which has not been approved and recorded as provided in these regulations, except those parcels recorded prior to the effective date of these regulations [April 29, 1982]. Provided, those parcels recorded prior to the effective date of these regulations which abut an unopened street shall not be developed until such street or portion thereof has been opened and paved according to city specifications. It shall be unlawful to record a subdivision plat or, once recorded, to make any changes thereon whatsoever which have not been approved by the MPC and/or the mayor and aldermen in accordance with the provisions of these regulations.

Sec. 8-2082. Other penalties.

Unless a subdivision hereafter established shall be designed, developed, and recorded in accordance with the provisions of this chapter, then:

- (a) The city shall not accept the dedication of any street within such subdivision, nor shall the city improve, maintain, grade, pave or light any street within such subdivision unless such street or streets shall have received the status of

public streets prior to the adoption of this chapter.

- (b) The city shall not assume any responsibility for drainage problems within such subdivision unless city-owned and maintained drainage structures already exist in such subdivision.
- (c) The city shall not issue a building permit within such subdivision.
- (d) No unit of local government shall be authorized to extend any publicly operated service or utility into such subdivision.

Secs. 8-2083--8-2090. Reserved.

ARTICLE K. AMENDMENTS

Sec. 8-2091. Amendment.

This chapter may be amended from time to time, but no amendment shall become effective unless it shall have been proposed by or shall first have been submitted to the MPC for review and recommendation. The MPC shall submit its report within 30 days after receiving an amendment proposal from the mayor and aldermen; otherwise, said amendment proposal shall be deemed approved by the MPC. Before enacting an amendment to these regulations, the mayor and aldermen shall hold a public hearing thereon, notice of which shall be published at least 15 days prior to such hearing in a newspaper of general circulation in Chatham County.

