

SUBDIVISION REGULATIONS
OF THE
TOWN OF MANSFIELD, GEORGIA

ADOPTED APRIL 13, 1987

TOWN OF MANSFIELD SUBDIVISION REGULATIONS

AN ORDINANCE REGULATING THE SUBDIVISION OF LAND IN THE TOWN OF MANSFIELD, GEORGIA; REQUIRING AND REGULATING THE PREPARATION AND PRESENTATION OF PRELIMINARY AND FINAL PLATS FOR SUCH PURPOSE: ESTABLISHING MINIMUM SUBDIVISION DESIGN STANDARDS; REQUIRING MINIMUM IMPROVEMENTS TO BE MADE OR GUARANTEED TO BE MADE BY THE SUBDIVIDER; SETTING FORTH THE PROCEDURE TO BE FOLLOWED BY THE MAYOR AND COUNCIL AND THE MANSFIELD PLANNING COMMISSION, IN APPLYING THESE RULES, REGULATIONS, AND STANDARDS; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS. BE IT RESOLVED AND ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MANSFIELD, GEORGIA:

ARTICLE I

SHORT TITLE, PURPOSE, AND INTENT

SECTION 1-1 SHORT TITLE. This ordinance shall be known as and may be cited as the "Subdivision Regulations of the Town of Mansfield, Georgia".

SECTION 1-2 PURPOSE AND INTENT. This ordinance is enacted pursuant to the authority contained in Article IX, Sec. II, Paragraphs I, II, & IV of the Constitution of Georgia (1983) for the following purposes:

- 1-21 Encourage the development of economically sound and stable communities;
- 1-22 Assure the provision of required streets; and where practical, utilities and other facilities and services to new land development;
- 1-23 Assure the adequate protection of safe and convenient traffic access and circulation, both vehicular and pedestrian, in new land development;
- 1-24 Assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes; and
- 1-25 Assure, in general, the wise development of new areas, in harmony with the Comprehensive Land Use Policy of the community as it now exists or may hereafter be established.

ARTICLE II

DEFINITION OF TERMS

SECTION 2-1 INTERPRETATION OF CERTAIN TERMS AND WORDS. For the purpose of this Ordinance, certain words or terms used herein are interpreted as follows:

- 2-11 Words used in the present tense include the future tense. Words used in the singular include the plural; and words in the plural include the singular.
- 2-12 The word "shall" is always mandatory, and the word "may" is permissive.
- 2-13 The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.
- 2-14 The word "lot" includes the words "plot" or "parcel".
- 2-15 The word "used" or "occupied", as applied to any land or building, shall be construed to include the words "intended", "arranged", or "designed to be used or occupied".
- 2-16 The word "structure" includes the word "building".

SECTION 2-2 DEFINITIONS.

- 2-21 Administrator - the person or persons designated by the Mansfield Mayor and Council to be responsible for the administrative functions required in connection with the enforcement of the Subdivision Regulations of Town of Mansfield.
- 2-22 Building Line - a line beyond which no foundation wall or part of the structure of any building projects, with the exception of roof overhang, steps, and the subsurface projection of footings. Such a line may coincide with the building setback line.
- 2-23 Building Setback Line - a line parallel to and a specified minimum distance from the front, side or rear property lines (as specified) beyond which no foundation wall or part of the structure of any building projects with the exception of roof overhang, steps, and the subsurface projection of footings.

- 2-24 Block - is an area of land within a subdivision that is entirely bounded by streets, or by streets and the exterior boundary or boundaries of the subdivision, or a combination of the above with a river or lake.
- 2-25 Comprehensive Land Use Policy Plan - any part or element of the overall plan for development adopted by the Mayor and Council pursuant to the authority contained in Article IX, Section II, Paragraphs I, II, and IV of the Constitution of Georgia (1983).
- 2-26 Construction Plan - a plan, based on the approved preliminary plat which shows all street design and profiles, topographic information, utility construction plans, sediment and erosion control plans, and other information which may be required by the Administrator. It is submitted to the Administrator and requires only his/her approval.
- 2-27 Crosswalk - a right-of-way within a block dedicated to public use, intended primarily for pedestrian use, and designed to provide access to adjacent roads and lots.
- 2-28 Design Standards - are the specifications to land owners or subdividers for the preparation of plats, both preliminary and final, indicating among other things, the optimum, minimum, or maximum dimensions of such items as right-of-ways, blocks, easements, and lots.
- 2-29 Easement - a grant by a property owner for the use of a strip of land for the specified purpose of constructing and maintaining utilities; including, but not limited to sanitary sewers, water mains, electric lines, telephone lines, storm sewer or storm drainage ways and gas lines.
- 2-210 Final Plat - is a finished drawing or map of a subdivision, meeting all of the requirements of these regulations in such form as required by the local jurisdiction, and showing, completely and accurately, all legal design and engineering information, and certified as necessary for recording.
- 2-211 Hearing - an unadvertised but official session of the Mansfield Planning Commission or the Mayor and Council held to afford a subdivider, or his agent, an opportunity to present and confer on a plat of subdivision with the Planning Commission or the Mayor and Council.

- 2-212 Lot - is a portion, plot, or parcel of land separated from other portions, plots, or parcels by description as on a subdivision plat or record or survey map or as described by metes and bounds, and intended for transfer of ownership or for building development. For the purpose of this Ordinance, the term does not include any portion of a right-of-way.
- 2-213 Lot Corner - a lot abutting upon two or more streets at their intersection.
- 2-214 Lot, Double Frontage - a lot other than a corner lot abutting two streets.
- 2-215 Lot of Record - a lot which is part of a subdivision, the plat of which has been recorded in the Office of the Clerk of the Superior Court of Newton County, Georgia, or a parcel of land described by metes and bounds, the plat or description of which has been recorded in said office. If a portion of a parcel has been conveyed at the time of the adoption of this Ordinance, the remaining portion of said lot or parcel shall be considered a lot of record.
- 2-216 Lot Remnant - any portion or portions of a lot not suitable for building upon because of size or topography and remaining after the transfer of other portions of said lot to adjoining lots.
- 2-217 Lot Width - the width of the lot at the front building line measured parallel to the street right-of-way or in the case of a curvilinear street, parallel to the chord of the arc between the intersection of the side lot lines and the street right-of-way line.
- 2-218 Owner(s) of Record - the owner(s) of property as specified on the deed of the lot of record.
- 2-219 Parks and Playgrounds - public or community land, open spaces, or recreation areas represented on a plat of subdivision as dedicated, or reserved, or to be reserved, for recreational purposes.
- 2-220 Pedestrian Way - crosswalk or other areas designed and marked specifically for pedestrian traffic.
- 2-221 Percentage of Grade - on street center line, means the distance vertically (up and down) from the horizontal in feet and tenths of a foot for each one hundred feet of horizontal distance.

- 2-222 Planned Unit Development - any coordinated large-scale or comprehensive group development which may not follow standard design practices.
- 2-223 Planning Commission - The Mansfield Planning Commission.
- 2-224 Pre-application Review - an initial and informal stage of subdivision review at which the developer may make known preliminary plan proposals and the Planning Commission may respond and/or advise the developer concerning the subdivision regulations.
- 2-225 Preliminary Plat - is a tentative drawing or map of a proposed subdivision meeting requirements herein and showing the proposed layout in sufficient detail, although not completely computed, to indicate unquestionably its workability.
- 2-226 Private Drive - a non-public, privately owned accessway.
- 2-227 Private Street - any street within a planned development which meets appropriate public street design standards, but, for purposes of controlled access or privacy, is not dedicated to the town and is not public.
- 2-228 Protective Covenants - are contracts made between private parties, or conditions recorded with an approved plat and running with the title to the land, specifying the manner in which land may be used, developed, or improved with the intent of protecting and preserving the physical and economic integrity of any given area.
- 2-229 Public Hearing - an official session of the Planning Commission or Mayor and Council, advertised according to law and called for purposes specified in the public notice.
- 2-230 Reserve Strip - a strip or parcel of land along, around, or between properties, the purpose of which is to restrict access.
- 2-231 Review Agency - any so designated agency other than the Planning Commission or Mayor and Council which may review appropriate parts of plat submissions by reason of technical capability, authority or interest.

- 2-232 Right-of-Way - a strip of land designated, reserved, dedicated, or purchased for the purpose of pedestrian or vehicular access or utility line installation.
- 2-233 Road - is a public or private right-of-way affording primary access by pedestrians and vehicles to and between properties, however designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, or place.
- 2-233 a. Alley or Service Drive - a minor access way used for service access, or property access under specified circumstances, to the bank or side of properties otherwise abutting on a street.
- 2-233 b. Marginal Access Street - a residential street parallel and adjacent to major thoroughfares or arterial streets and which provides access to abutting properties with protection from through traffic.
- 2-233 c. Cul-de-Sac - a local street or road with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.
- 2-233 d. Half Street - a street or road adjacent to a subdivision tract boundary where only half the required right-of-way and road improvements are provided within the proposed subdivision and the responsibility for the other half is undecided or is left to the adjacent property owner.
- 2-233 e. Road Width - is the shortest distance between lines of lots delineating the road right-of-way.
- 2-233 f. Minor or Local Street - street used primarily for access to the abutting properties and serving travel demands in the immediate area.
- 2-233 g. Major or Minor Collector - those streets so designated in the Comprehensive Land Use Policy Plan of the Town of Mansfield; and those streets which otherwise function to serve local traffic movements by collecting or distributing traffic from or to local, other collector, and/or arterial streets. Such a street may also function to provide access to abutting properties in the same manner as a local street.

- 2-233 h. Major or Minor Arterial - those streets so designated in the Comprehensive Land Use Policy Plan of the Town of Mansfield; and those streets which otherwise function to move high volumes of traffic between principal traffic generators (such as residential, commercial, and industrial sectors) at moderate speeds and with minimum conflict to movements.
- 2-233 i. Tangent - is a straight line that is perpendicular to the radius of a curve where a tangent meets a curve.
- 2-234 Subdivider - is any individual, firm, association, syndicate, co-partnership, corporation, trust or other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this Ordinance.
- 2-235 Subdivision - the division of a lot or record at the time of enactment of this Ordinance onto three (3) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land involving a new street or a change in existing streets, and includes resubdivision, and where appropriate to the context, relates to the process of subdividing or to the land or area subdivided, provided, however, that the following are not included within this definition;
- 2-235 a. The combination or recombination of portions of previously plated lots where the total number of lots is not increased and the resultant lots are equal to the standards set forth in these regulations.
- 2-235 b. The transfer of property by the owner to a member of the immediate family (parent, spouse or child).
- 2-235 c. The transfer of unsubdivided land or the transfer of a lot or parcel of land established by deed or plat recorded in the Office of the Clerk of the Superior Court prior to the initial effective date of these regulations.

- 2-235 d. The division of land among heirs by judicial decree.
- 2-235 e. The division of land into parcels of three (3) acres or more in all districts except A - (Agricultural) zoned areas where no new street is involved.
- 2-235 f. The division of land into parcels of five (5) acres or more in A - (Agricultural) zoned areas where no new street is involved.
- 2-236 Town - The Town of Mansfield, Georgia.

ARTICLE III

PLATTING JURISDICTION AND ENFORCEMENT

SECTION 3-1 APPLICATION. Any "person" proposing to subdivide land within incorporated areas of the Town of Mansfield, Georgia, shall submit to the Town, plats of the proposed subdivision which shall conform to all regulations set forth in this document. Application shall be made directly to the designated Administrator of this Ordinance.

SECTION 3-2 JURISDICTION. These regulations cover all incorporated areas of the Town of Mansfield, Georgia.

SECTION 3-3 PLATTING AUTHORITY. From and after the passage of this Ordinance, the Mayor and Council shall be the official platting authority and no plat of a land subdivision as defined herein shall be entitled to record in the Office of the Clerk of the Superior Court of Newton County, unless it shall have the approval of the Mayor and Council.

The filing or recording of a plat of a subdivision without the approval of the Mayor and Council as required by these regulations, is declared to be a misdemeanor.

SECTION 3-4 PHYSICAL DEVELOPMENT. No "subdivider" or "person" shall proceed with any construction work on a proposed subdivision before obtaining Preliminary Plat Approval from the Mayor and Council certified thereon and Construction Plan approval from the Administrator, certified thereon.

SECTION 3-5 USE OF PLAT. The transfer of, sale, agreement to sell, or negotiation to sell land by reference to or exhibition of, or other use of a plat of a subdivision, as, herein defined, that has not been given a Final Certificate of Approval by the Mayor and Council and recorded in the Office of the Clerk of the Superior Court of Newton County is prohibited, and the description by metes and bounds in the instrument of transfer of other documents shall not exempt the transaction from penalties.

SECTION 3-6 OPENING AND IMPROVING STREETS. No land designated, reserved, proposed or dedicated as a street shall be accepted, opened, or improved, nor shall any utilities or other facilities be installed therein, unless such street shall have been accepted or opened as, or otherwise shall have received the legal status of a public street prior to the adoption of these regulations, or unless such street corresponds in its location and lines with a public or private street shown on a Final Plat approved by the Mayor and Council or on a plat made and adopted by the Mayor and Council provided, however, that the Mayor and Council may locate and construct or may accept any other street if first submitted to the Mayor and Council for review and comment. Approval of a plat by the Planning Commission shall not be deemed as acceptance of any street shown thereon, by the Mayor and Council.

SECTION 3-7 ERECTION OF BUILDINGS. No building permit shall be issued and no building shall be erected on any lot in any subdivision as defined herein unless the street giving access thereto has been approved by the Mayor and Council as meeting the standards of a public street in accordance with this Ordinance, or unless such street has attained the status of a public street prior to the effective date of this Ordinance.

ARTICLE IV

PLATTING PROCEDURES

SECTION 4-1 GENERAL PLATTING PROCEDURES. The procedure for the formal review and approval of a subdivision plat consists of one recommended stage and six required stages. These are the pre-application review stages (recommended), Preliminary Plat acceptance by the Planning Commission (required), Preliminary Plat approval by the Mayor and Council (required), Construction Plan Stage (required), Final Plat acceptance by the Planning Commission (required), Final Plat approval by Mayor and Council (required) and recording and dedication (required), respectively.

- 4-11 Pre-Application Review Stage - Whenever the subdivision of a tract of land is proposed, the subdivider is urged to consult early and informally with the Planning Commission. (See Article IX - Administration.) The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity, and the proposed development layout of the subdivision. The purpose of the pre-application review stage is to facilitate the subsequent preparation of plans and plats by clarifying matters relating to the proposed subdivision, and the subdivision regulations.

- 4-12 Preliminary Plat Stage - The developer shall submit to the Planning Commission for approval a Preliminary Plat of the proposed subdivision prepared in accordance with the provisions of these regulations. (See Article IX - Administration.) Developer also shall furnish copies of such Preliminary Plat to all utility companies serving the area. Approval of the Planning Commission and the Mayor and Council shall be indicated on the face of the Preliminary Plat.
- 4-13 Construction Plan Stage - Prior to making any street improvements or installing any utilities or other improvements, the developer shall submit to the Administrator construction plans of the proposed subdivision prepared in accordance with the provisions of these regulations for approval. (See Article IX - Administration.) The design presented in the construction plans shall be in conformance with the general design information presented in the Preliminary Plat that was approved by the Planning Commission. The construction plans shall show all street design and profiles, topographic information, utility construction plans, sediment and erosion control plans, and other information as may be requested by the Administrator. The construction plans stage required the review and approval of only the Administrator.
- 4-14 Final Plat Stage - After completion of the physical development of proper arrangements for same, for all or part of the area shown on the Preliminary Plat as approved by the Mayor and Council and before selling any lots, a Final Plat together with the required certificates shall be submitted to the Planning Commission for acceptance, and to the Mayor and Council for approval. (See Article IX - Administration.)
- 4-15 Final Approval by Mayor and Council - Approval of Final Plat is not complete until the Mayor and Council approves it following acceptance by Planning Commission. Developer also shall furnish copies of such Final Plat to all utility companies serving the area.
- 4-16 Recording and Dedication Stage - After the Final Plat is approved and duly signed by the Planning Commission and by the Mayor and Council, the Final

Plat and appropriate documents become the instrument to be recorded in the Office of the Clerk of the Superior Court of Newton County, Georgia. After recording, the appropriate deeds and documents shall be presented to the appropriate local governmental agency for dedication and acceptance.

- 4-17 Exception of Minor Subdivisions - Subdivisions which do not involve the platting, construction, or opening of new streets, sewers, or water facilities, or improvement to existing streets shall be defined as minor subdivisions, and as such, are subject to only the requirements of the final plat stage and the recording and dedication stage. Subdivisions so defined shall be accepted by the Planning Commission and the Mayor and Council in the form of a Final Plat and the Final Plat shall comply in all respects to these regulations.

SECTION 4-2 PRELIMINARY PLAT PROCEDURES.

- 4-21 Preliminary Plat Submission - At least fifteen (15) days prior to the Planning Commission's regularly scheduled monthly meeting at which the subdivider desires Planning Commission action, the subdivider shall submit:
- 4-21 a. A letter requesting review and approval of a preliminary plat and giving the name and address of a person to whom the notice of hearing and action on the Preliminary Plat shall be sent.
- 4-21 b. Three (3) copies of the preliminary plat and supporting data. At such time, the Planning Commission may direct the subdivider to furnish additional copies to the review agencies having appropriate technical expertise or proper authority, for consideration and comment. (See Article IX - Administration.)
- 4-22 Official Date of Submission - The official date of submission of the plat shall be the date of the next regularly scheduled monthly meeting of the Planning Commission.

- 4-23 Preliminary Plat Review - The Planning Commission shall review the Preliminary Plat for conformance to these regulations and other relevant regulations, and shall consider the comments or suggestions of the appropriate review agencies requested to review the preliminary plat. The Planning Commission shall indicate on the plat, or by a written memorandum attached thereto, any comments and suggested changes that are necessary to meet the intent of these regulations or to serve the best interests of the town.
- 4-24 Hearing - No plat shall be acted upon by the Planning Commission and the Mayor and Council without affording the subdivider a hearing thereon, notice of the time and place of which shall be sent by first class mail not less than five days before the date fixed therefor.
- 4-25 Action of Planning Commission on the Preliminary Plat - Not more than forty-five (45) days after the official date of submission of the Preliminary Plat, the Planning Commission shall either recommend approval of the plat; recommend conditional approval of the plat with the conditions of approval noted on the plat or attached thereto; or recommend disapproval the plat, or any portion thereof.
- 4-26 Failure of Planning Commission to Take Action - Failure of the Planning Commission to act within forty-five (45) days of the official date of submission of the Preliminary Plat shall be deemed its approval of such plat and the plat shall be forwarded to the Mayor and Council for action, provided that said plat was submitted for approval at least fifteen (15) days prior to the regularly scheduled Planning Commission meeting date on which action on the plat was requested, or the subdivider does not consent in writing to an extension of time, if requested by the Planning Commission for further study of the plat.
- 4-27 Action by Mayor and Council on the Preliminary Plat - Not more than forty-five (45) days after action on the Preliminary Plat by the Planning Commission, the Mayor and Council shall either issue a certificate approving the plat; issue a certificate conditionally approving the plat with the conditions of approval noted on the plat or

attached thereto; or disapprove the plat, or any portion thereof, in which case the Mayor and Council shall notify the subdivider in writing, stating the reasons therefor. Action of the Mayor and Council shall be noted on two (2) copies of the Preliminary Plat and on the original, if approved. One copy and the original shall be returned to the applicant and the other copy retained and made a part of the records of the Town of Mansfield. In the case of conditional approval, once the subdivider has satisfactorily completed or complied with the conditions indicated, the Mayor and Council shall issue a certificate of approval.

4-28 Failure to Take Action - Failure of the Mayor and Council to act within forty-five (45) days of the official date of action on the Preliminary Plat by the Planning Commission, shall be deemed approval of such plat and a certificate to that effect shall be issued to the subdivider at his request, provided that the subdivider does not consent in writing to an extension of time, if requested by the Mayor and Council for further study of the plat.

4-29 Approval of Preliminary Plat - Approval of a Preliminary Plat is only tentative, pending submission of the Final Plat, and shall be effective and binding upon the Mayor and Council for a period not to exceed two years and thereafter expire and be null and void except to the extent that work on the subdivision has progressed, unless a request for an extension of time has been submitted to and is subsequently approved by the Mayor and Council.

SECTION 4-3 PRELIMINARY PLAT SPECIFICATIONS. The Preliminary Plat shall meet the minimum standards of design set forth in these Regulations and shall include the following:

4-31 General -

4-31 a. Title block including:

4-31 a.1. Proposed name of subdivision and name of former subdivision, if any, or all of proposed subdivision has been previously subdivided.

- 4-31 b. Plat key including:
 - 4-31 b.1. Name and address of person in charge of plat preparation.
 - 4-31 b.2. Date of plat preparation with space for revision dates.
 - 4-31 b.3. Graphic scale of one (1) inch equals 200 feet or larger.
 - 4-31 b.4. North point, identified as magnetic, true, or grid north.
 - 4-31 b.5. Area of proposed subdivision in acres.
 - 4-31 b.6. Appropriate legend of symbols used on plat.
- 4-31 c. Location sketch map locating the subdivision in relation to the immediately surrounding area and showing generally:
 - 4-31 c.1. Well known landmarks such as railroads, highways, bridges, creeks, etc.
 - 4-31 c.2. Zone district classification(s) of land to be subdivided and adjoining properties.
 - 4-31 c.3. Town and/or county jurisdictional boundaries and land lot lines, if applicable.
- 4-31 d. The subdivider may and is encouraged to submit a Preliminary Plat of his entire tract even though his present plans call for the actual development of only a small part of the property. Regardless of the area covered by the preliminary plat, any unit divisions or phasings thereof intended in the preparation of the final plats shall be represented on the Preliminary Plat.

- 4-31 e. In the case of resubdivision, a copy of the existing plat with the proposed resubdivision superimposed thereon shall be provided.
- 4-31 f. All elevations shall refer to Mean Sea Level Datum.
- 4-31 g. Sheet Size - Sheet size shall be no larger than thirty-six inches wide and twenty-four inches long leaving a margin two inches in width on left end for binding purposes, and one-half inch margin on the other three sides. If the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size.

4-32 Exhibit Conditions -

- 4-32 a. Location, estimated dimensions, of all property boundary lines of the subdivision.
- 4-32 b. Where requested by the Planning Commission, topography by contours at vertical intervals of not more than five feet as determined by a field survey or accurate aerial survey (where deemed necessary).
- 4-32 c. Location of natural features including streams and water courses with direction of flow and acreage of the drainage area affecting the proposed subdivision; water bodies; swamps; flood plains; tree line of wooded areas; individual trees 18" trunk diameter or more; and orchards or other agricultural groves.
- 4-32 d. Location and/or size of existing cultural features on or adjacent to the proposed subdivision including:
 - 4-32 d.1. Right-of-way and pavement widths and names of existing and platted streets.
 - 4-32 d.2. Railroads and railroad right-of-ways.

4-32 d.3. Bridges, buildings, and other structures.

4-32 d.4. All surface utility lines within easements or right-of-ways on or adjoining the tract, (showing the location of towers or poles).

4-32 d.5. Existing sewers, water, mains, drains, culverts, and other underground facilities or utilities within easements or right-of-ways on or adjoining the tract (grades and invert elevation of sewers shall be shown).

4-32 d.6. All other easements and right-of-ways.

4-33 Proposed Conditions -

4-33 a. Layout of all streets and other accessways with right-of-way and pavement widths and proposed street names.

4-33 b. Such street cross-sections, grades, and center line profiles as may be required.

4-33 c. Layout of all lots, including building setback lines; scaled dimensions on lots; utility easements with width and use; block number, and lot numbers.

4-33 d. Indicate provisions for sewerage disposal systems (individual, community, and/or public) with such preliminary to tentative approval by type of system proposed.

4-33 e. Indicate provisions for water supply (individual, community, or public systems) with such preliminary or tentative approvals by type of system proposed.

4-33 f. Provisions for proper drainage.

- 4-33 g. Such soil erosion and sediment control plans (or evidence) of official approval of such plans) separately attached to the plat, as are required by local ordinance.
- 4-33 h. Designation of lands to be reserved or dedicated to public use.
- 4-33 i. All land including area to be used for uses other than single family dwellings.
 - 4-33 i.1. Multi-family
 - 4-33 i.2. Commercial
 - 4-33 i.3. Industrial
 - 4-33 i.4. Recreation, open space, or other facilities and areas.

4-34 Certificates of Tentative Approval - A certificate of Tentative Approval of the Preliminary Plat by the Mayor and Council shall be inscribed on the plat.

SECTION 4-4 CONSTRUCTION PLAN PROCEDURES.

- 4-41 Construction Plan Submission - After the Preliminary Plat of the proposed subdivision has been given approval by the Mayor and Council, the developer may, within two (2) years of said approval, submit Construction Plans to the Administrator.
- 4-41 a. Three (3) copies of the Construction Plans shall be submitted to the Administrator. The scale on the Construction Plans shall not be less than two hundred (200) feet to the inch.
 - 4-41 b. Approval of Construction Plans constitutes authorization to proceed with the installation of any required improvements, subject to the approval of agencies having the proper authority over such individual improvements, and the preparation of the Final Plat, or unit division or phase thereof as provided in Section 4-31 d.

SECTION 4-5 CONSTRUCTION PLAN SPECIFICATIONS. The Construction Plans shall conform to all specifications required for the Preliminary Plat, with the following additions:

- 4-51 a. Topography by contours at vertical intervals of not more than five (5) feet as determined by a field survey or accurate aerial survey.
- 4-51 b. Provision for proper drainage.
- 4-51 c. Appropriate soil erosion and sediment control plans as required by local ordinance.
- 4-51 d. Such street profiles, cross-sections, and details as may be necessary .
- 4-51 e. Any utility plans as may be required.
- 4-51 f. Any tree planting or retention plans; or other landscaping plans.

SECTION 4-6 FINAL PLAT PROCEDURES.

4-61 Final Plat Submission - After the Preliminary Plat of proposed subdivision has been given tentative approval by the Mayor and Council, and construction plans have been approved by the Administrator, and required improvements have been completed or proper arrangements made therefor, the subdivider may, within two years from the Preliminary Plat approval, apply for Final Plat Approval. The subdivider shall submit to the Planning Commission at least fifteen (15) days prior to the Planning Commission's regular monthly meeting at which the subdivider desires Planning Commission action, the following:

- 4-61 a. A letter requesting review and approval of a Final Plat and giving the name and address of the person to be notified of action on the Final Plat.
- 4-61 b. Three paper copies of the Final Plat and other documents, as may be specified, and the original tracing or reproducible print thereof drawn in the permanent ink or equivalent on drafting cloth or film. The scale on the plat shall not be less than 200 feet to the inch. (See Article IX - Administration.)

- 4-62 Official Date of Submission - The official date of submission of the plat, shall be the date of the next regularly scheduled monthly meeting of the Planning Commission.
- 4-63 Review of the Final Plat - The Planning Commission shall check the Final Plat for conformance with the tentatively approved Preliminary Plat.
- 4-64 Hearing - No plat shall be acted upon by the Planning Commission and the Mayor and Council without affording the subdivider a hearing thereon, notice of the time and place of which shall be sent by first class mail not less than five days before the date fixed therefor.
- 4-65 Planning Commission Action on the Final Plat - Not more than forty-five (45) days after the official date of submission of the Final Plat, the Planning Commission shall either recommend approval of it by the Mayor and Council; recommend approval of the plat conditionally with the conditions of approval noted on the plat or attached thereto and recommend the same action by the Mayor and Council; or recommend disapproval of the plat or any portion thereof.
- 4-66 Failure of Planning Commission to Take Action - Failure of the Planning Commission to act within forty-five (45) days of the official date of the submission of the Final Plat shall be deemed its approval of such plat and the plat shall be forwarded to the Mayor and Council for action, provided the said plat was submitted for approval at least fifteen (15) days prior to the Planning Commission's regular monthly meeting at which action on the plat was requested, or the subdivider does not consent in writing to an extension of time, if requested by the Planning Commission for further study of the plat.
- 4-67 Action by Mayor and Council on the Final Plat - Not more than forty-five (45) days after action on the Final Plat by the Planning Commission, the Mayor and Council shall either approve the plat; approve the plat conditionally with the conditions of approval noted on the plat or attached thereto; or disapprove the plat or any portion thereof, in which case the Mayor and Council shall notify the

subdivider in writing, stating the reasons thereof. Action of the Mayor and Council shall be noted on two (2) copies of the Final Plat and on the original, if approved. One copy and the original shall be returned to the applicant and the other made a part of the records of the Town of Mansfield. In the case of conditional approval, once the subdivider has satisfactorily completed or complied with the conditions indicated, the Mayor and Council shall issue a Certificate of Approval for Recording.

- 4-68 Failure of Mayor and Council to Take Action - Failure of the Mayor and Council to act within forty-five (45) days of the official date of action on the Final Plat by the Planning Commission shall be deemed approval of such plat and a certificate to that effect shall be issued to the subdivider at his request, provided that the subdivider does not consent in writing to an extension of time, if requested by the Mayor and Council for further study of the plat.
- 4-69 Approval of Final Plats - If the Mayor and Council issue a final approval of the final plat, the Town of Mansfield shall issue a Certificate of Approval of Recording. This authorizes the subdivider to proceed with the Recording and Dedicating procedures.

Section 4-7 FINAL PLAT SPECIFICATIONS. The Final Plat shall conform substantially to the Preliminary Plat and it may constitute only that portion of the approved Preliminary Plat which the subdivider proposes to record and develop at any one time, provided that such portion conforms to the unit phasing established in the approved Preliminary Plat. The Final Plat shall meet the minimum standards of design set forth in these regulations and shall include the following:

4-71 General -

4-71 a. Title block including:

4-71 a.1. Proposed name of subdivision and name of former subdivision if any or all of proposed subdivision has been previously subdivided.

4-71 a.2. Name and address of owner(s) of record.

4-71 b. Plat key including:

4-71 b.1. Name and address of person in charge of plat preparation.

4-71 b.2. Date of plat preparation with space for revision dates.

4-71 b.3. Graphic scale of one (1) inch equals 200 feet or larger.

4-71 b.4. North point, identified as magnetic, true, or grid north.

4-71 b.5. Area of proposed subdivision in acres.

4-71 b.6. Appropriate legend of symbols used on plat.

4-71 c. Location sketch map locating the subdivision in relation to the immediately surrounding area and showing generally:

4-71 c.1. Well known landmarks such as railroads, highways, bridges, creeks, etc.

4-71 c.2. Zone district classification(s) of land to be subdivided and adjoining properties.

4-71 c.3. Town and/or county jurisdictional boundaries and land lot lines, if applicable.

4-71 d. Sheet sizes shall be fourteen (14) inches wide and sixteen (16) inches long leaving a margin of two inches wide on left end for binding purposes, and one-half inch margin on the other three sides, and where more than one sheet is required an index map shall be required at the same sheet size.

4-72 Required Conditions:

- 4-72 a. Courses and distances to the nearest existing street intersections or benchmarks or other recognized permanent monuments shall be provided.
- 4-72 b. Accurate location, material, and description of monuments and markers.
- 4-72 c. Exact boundary lines of the tract, to be indicated by a heavy line, giving distances to the nearest one-tenth (1/10) foot and angles to the nearest minutes, which shall be balanced and closed with an error of closure not to exceed one (1) to five thousand (5,000). The error of closure shall be stated.
- 4-72 d. Topography by contours at vertical intervals of not more than five feet as determined by a field survey or accurate aerial survey (where lots are less than 40,000 square feet).
- 4-72 e. Location of physical features such as streams and water courses with direction of flow, water bodies, swamps, floodplains, rock outcroppings, springs, vegetation, etc.
- 4-72 f. Location of adjoining property lines and the names of owner(s) of record and/or the location of adjoining subdivision lines and names.
- 4-72 g. All existing buildings and structures to be maintained within the proposed subdivision.
- 4-72 h. Exact locations, widths, and names of all streets and public accessways within and immediately adjoining the platted property.
- 4-72 i. Street centerlines showing angles of deflection, angles of intersection, radii, length of tangents and arcs, and degree of curvature with basis of curve date.

- 4-72 j. Lot lines with dimensions to the nearest one hundredth (1/100) foot area; necessary internal angles; arcs and chords, and tangent or radii of rounded corners.
- 4-72 k. Building setback line with dimensions.
 - 4-72 k.1. When lots are located on a curve or when side lot lines are at angles other than ninety (90) degrees, the lot width at the building lines shall be shown.
- 4-72 m. Lots or sites numbered in numerical order and blocks lettered alphabetically.
- 4-72 n. Location, dimensions, and purpose of all drainage structures and of any easement, including slope easements, if required, and public service utility right-of-way lines; any areas to be reserved, donated, or dedicated to public use and sites for other than single family residential, with designations stating purpose or proposed use, area, and if any, use limitations, and of any areas to be reserved by deed covenants for common uses of all property owners.
- 4-72 o. Any private covenants to be recorded with the plat attached.

4-73 Certifications:

- 4-73 a. The following certifications shall be in form and substance approved by the Mayor and Council and inscribed directly on the Final Plat:
 - 4-73 a.1. An Engineer's or Surveyor's Certification.
 - 4-73 a.2. An Owner's Certificate.
 - 4-73 a.3. A Certificate of Approval for Recording by the Mayor and Council.

4-73 b. The following certificates or statement shall be attached to the Final Plat when applicable:

4-73 b.1. Certificate(s) or Statement(s) of Guaranty to Dedicate.

4-73 b.2. Certificate or Statement of Approval of Streets, whether or not the streets are to be dedicated to the public.

4-73 b.3. Certificates or Statements of Approval of the Sewerage Disposal System in the proposed subdivision obtained from the Town of Mansfield and the Newton County Department of Health.

4-73 b.4. Certificates or Statements of Approval of the Water System in the proposed subdivision obtained from the Town of Mansfield and the Newton County Department of Health, the Environmental Protection Division of the State Department of Natural Resources, and/or the Newton County Water and Sewerage Authority as applicable.

4-73 b.5. A Certificate or Statement of Approval of the Drainage Provisions within the proposed subdivision.

SECTION 4-8 RECORDING AND DEDICATION PROCEDURES.

4-81 Recording of Final Plat - Upon approval of a Final Plat, the subdivider shall have the Final Plat recorded in the Office of the Clerk of the Superior Court of Newton County. The subdivider shall be responsible for the payment of the recording fee at the time of recording of the Final Plat.

4-82 Dedication of Platted Streets, Other Public Spaces, and Utilities - Final Plat approval by the Mayor and Council shall not be deemed acceptance of any dedications to the public. After Final Plat approval by the Planning Commission, the subdivider shall prepare appropriate documents and plans as constructed, if required, and request the town and other appropriate authorities to accept dedicated streets, other public spaces, and utilities.

ARTICLE V

GENERAL DESIGN REQUIREMENTS

SECTION 5-1 SUITABILITY OF THE LAND. Land subject to flooding, improper drainage, or erosion or that is, due to topographical or other reasons, unsuitable for development, shall not be platted for residential use nor for any other use that will continue or increase the danger to health, safety, or property destruction, unless hazards can be and are corrected.

SECTION 5-2 NAME OF SUBDIVISION. The name of the subdivision must have approval of the Mayor and Council. The name shall not duplicate nor closely approximate the name of an existing subdivision.

SECTION 5-3 ACCESS. Access to every subdivision shall be provided over a public street and every lot within a subdivision shall be served by a publicly dedicated street, or a private street meeting the standards of a public street and approved.

SECTION 5-4 CONFORMANCE TO ADOPTED COMPREHENSIVE LAND USE POLICY PLAN. Proposed subdivisions shall conform to the adopted Comprehensive Land Use Policy Plan of the Town of Mansfield and development policies in effect at the time of submission to the Planning Commission. When features of the adopted Plan, such as schools or other public building sites, parks, major streets, or other land for public uses are located in whole or in part in a proposed subdivision, such features shall be either dedicated or reserved by the subdivider for acquisition within a reasonable time by the appropriate public agency.

SECTION 5-5 RESERVATION OR DEDICATION OF PUBLIC USE AREAS.

5-51 Reservation of Plan Features - Where the features of the comprehensive land use policy plan, such as school sites, parks, playgrounds, and other public spaces may be located in whole or in part in a proposed subdivision, such features shall be reserved by the subdivider; provided, however, that no more than ten (10) percent of the total area of the subdivision shall be required for reservation to fulfill the requirements of this Section.

Such public space area is required as a donation to the Town of Mansfield if it is both less than, or equal to, ten (10) acres in size, and less than, or equal to, ten percent (10%) of the total area of the subdivision. This requirement may be waived by the Mayor and Council if such donation would work an unreasonable hardship on the developer.

Whenever the land required for such plan features is not acquired by donation, purchased, optioned or condemned by the appropriate public agency within a two-year period from the date of recording the subdivision or the the time that at least seventy-five (75) percent of the lots are built on and occupied, whichever is sooner, the subdivider may claim the original reservation and cause it to be subdivided in a manner suitable to the subdivider, subject to the provisions of this Ordinance. Whenever a public body responsible for land acquisition executes a written release, stating that the reserved land is not to be acquired, the Town shall waive the reservations requirements.

5-52 Reservation Omissions - The Mayor and Council shall not approve any plats of subdivision when such planned features, as specified by the Comprehensive Land Use Policy Plan, are not incorporated into the plat, and the reservation requirements for such features have not been waived.

5-53 Unnecessary or Unsuitable Reservations - Whenever the Mayor and Council finds that proposed reservation of land or dedication of land for public use is not required or suitable for such public use, it may require the rearrangement of lots to include such land.

SECTION 5-6 LARGE-SCALE DEVELOPMENTS. A comprehensive group development, including large-scale construction of housing units together with necessary drives and way of access, may be approved by the Mayor and Council although the design of the project does not include standard streets, lot and subdivision arrangements, if departure from the ordinance can be made without destroying its intent. The developers of such proposals are urged to consult early with the Planning Commission to coordinate, plan, and plat properly.

SECTION 5-7 COMMUNITY ASSETS. In all subdivisions due regard shall be shown for all natural features such as large trees, and water courses, and for historical spots and similar community assets which, if preserved, will add attractiveness and value to the property.

ARTICLE VI

DESIGN STANDARDS

SECTION 6-1 STREETS. All streets which shall hereafter be established in connection with the development of a subdivision shall comply with the following design standards:

- 6-11 Continuation of Existing Streets - Wherever topography will permit, the arrangement of streets in a subdivision shall provide for the alignment and continuation or projection of existing streets into adjoining areas. Existing streets shall be continued at the same or greater width, but in no case less than the required width.
- 6-12 Street Names - Streets or roads that are extensions of, or obviously in alignment with, existing named streets, shall bear the name. The names of new streets and roads shall be subject to the approval of the Town and shall not duplicate or be similar in sound to existing names, irrespective of the use of the suffix street, avenue, circle, way, boulevard, drive, place or court.
- 6-13 Development Along Major Arterial Limited Access Highway or Railroad Right-of-Way - Where a subdivision abuts or contains a major arterial highway, a limited access highway, or a railroad right-of-way, the Town may require a street approximately parallel to and on each side of such right-of-way either as a marginal access or at a suitable distance for an appropriate use of the intervening land, with double fronting lots, reverse frontage, and a non-access reservation suitably planted, if applicable. In such cases, due regard should be given to requirements for approach grades and future grade separations in determining distances, and lots should have access only from the access street.
- 6-14 Intersections - The center lines of no more than two (2) 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 street shall intersect any other street at an angle of less than sixty (60) degrees. The angle of intersection is to be measured at the intersection of the street center lines.

- 6-15 Street Jogs - Street jogs with center line offsets of less than 125 feet shall not be permitted.
- 6-16 Cul-de-Sacs or Dead-End Streets - Local streets or courts designed to have one end permanently closed shall be provided with a turnaround at the closed end, having a minimum right-of-way of at least 100 feet in diameter and pavement with a minimum outside diameter of 70 feet.
- 6-17 Private Streets - Private streets may be permitted by the Town in planned unit development where controlled access or privacy is desired by the developer, provided such streets meet the standards of a public street.
- 6-18 Half Streets - Half streets are prohibited. Whenever a street is planned adjacent to the proposed subdivision tract boundary, the entire street right-of-way shall be platted within the proposed subdivision.
- 6-110 Split-Level Streets - Streets which are constructed so as to have two traffic ways, each at a different level within the same right-of-way, shall provide such additional right-of-way as necessary to meet the requirements of Section 6-114 and a paved traffic surface meeting the requirements of a marginal access street on each level. The slope between the two traffic ways should not be less than 2:1.
- 6-111 Alleys - Alleys or service drives may be required at the rear of all lots used for multi-family, commercial, or industrial developments but shall not be provided in one- and two-family residential developments unless the alley or service drive is to provide secondary access to a lot(s) whose natural grade is (are) more than six (6) feet above the finished street grade (See Section 8-6), or unless the subdivider produces evidence satisfactory to the Town or the need for an alley or service drive.
- 6-112 Marginal Access Streets - Streets which are constructed so as to provide secondary access only. No more than six (6) lots may abut any such street, and no such street may exceed 1,000 feet in length. Such streets may not be used as through streets and should be permitted only when lots abut an arterial or collector street.

6-113 Street Right-of-Way and Pavement Widths - The right-of-way shall be the perpendicular distance across a street from property line to property line. In commercial and industrial subdivisions, specifications for street and right-of-way width, thickness of base and approved street materials shall be set by the Town of Mansfield Mayor and Council, or its designee, and shall be in accordance with Georgia Department of Transportation requirements for load limits and traffic volume. Minimum street right-of-ways and pavement widths shall be as follows:

Street Right-of-Ways and Pavement Widths

Type of Street	Pavement Width*** (Minimum)	Pavement Width with Curb & Gutter**	Right-of-Way (Minimum)
6-113 a. Arterial*	-	-	-
6-113 b. Collector*	24'	28'	60'
6-113 c. Local or Residential Streets	22'	27'	50'
6-113 d. Marginal Access	12'	17'	24'
6-113 e. Alley or Service	12'	17'	24'
6-113 f. Cul-de-Sac	70' Diameter	75' Diameter	100 Diameter
6-113 g. Boulevards and one-way streets may be provided when the total right-of-way meets above standards and pavement width of each lane is at least 12 feet.			

* As shown or represented in Street Classification Map in the Comprehensive Land Use Policy Plan, or as defined by the appropriate local authority.

** Pavement width is measured from the back of the curb to the back of the curb.

*** Streets without curb and gutter shall be allowed only in Residential Subdivisions where all lots are over 20,000 square feet, and the potential average density is less than two (2) dwelling units per acre. Such streets shall be graded to provide at least a six (6) foot shoulder on each side of the pavement where cut and fill requirements will reasonably permit. Such shoulders shall have at least a two (2) percent slope away from the edge of the pavement.

- 6-114 Additional Right-of-Way on Proposed Streets - The right-of-way width in the above table is minimum, and, in areas of cut or fill, the right-of-way must be increased two (2) feet for each one (1) foot of material removed for the cut or added for the fill. This additional right-of-way must be added to the side or sides where the cut or fill takes place. The minimum allowable degree of slope on a back slope shall be 1.5 to 1 and on a fill slope the degree of slope shall be 2 to 1.
- 6-115 Additional Width on Existing Streets - In subdivisions that adjoin existing streets, the subdivider shall dedicate additional right-of-way to meet the above minimum street width requirements as follows:
- 6-115 a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the street.
- 6-115 b. When the subdivision is located on one side of an existing street, one-half of the required right-of-way measured from the center line of the existing roadway, shall be provided.
- 6-116 Reserved Strips - Reserve strips or non-access reservations which control access to streets, alleys, and public grounds should be avoided, but, if permitted, shall be at least five feet wide and shall be dedicated to the town.
- 6-117 Street Grades - All street grades shall conform to the Georgia Department of Transportation's Geometric Design Standards for each class of roads as follows:
- 6-117 a. Arterial Streets to conform to Class IV roads.
- 6-117 b. Collector Streets to conform to Class V roads.
- 6-117 c. All other streets to conform to Class VI roads.
- 6-118 Horizontal Curvature - The minimum radii of counterline curvature shall conform to the Georgia Department of Transportation's Geometric Design Standards for each class of roads as follows:

- 6-118 a. Arterial Streets to conform to Class IV roads.
- 6-118 b. Collector Streets to conform to Class V roads.
- 6-118 c. All other streets to conform to Class VI roads.
- 6-119 Tangents - The tangents between reverse curves, shall conform to the Georgia Department of Transportation's Geometric Design Standards for each class of roads as follows:
 - 6-119 a. Arterial Streets to conform to Class IV roads.
 - 6-119 b. Collector Streets to conform to Class V roads.
 - 6-119 c. All other streets to conform to Class VI roads.
- 6-120 Vertical Alignment - Vertical alignment (stopping sight distance) measured between points four and one-half feet above the center line of the street, shall conform to the Georgia Department of Transportation's Geometric Design Standards for each class of roads as follows:
 - 6-120 a. Arterial Streets to conform to Class IV roads.
 - 6-120 b. Collector Streets to conform to Class V roads.
 - 6-120 c. All other streets to conform to Class VI roads.
- 6-121 Curb-line Radii - Property lines at street intersections shall be rounded with a curb radius of 20 feet; where the angle of intersection is less than 90 degrees, the Town may require a greater radius. The Town also may permit comparable cut-offs or chords in place of rounded corners.
- 6-122 Right-of-Way Radius - The right-of-way radius at street intersections shall parallel the curb line radius.

- 6-123 Steep Slope Development - Street design and construction in areas of steep slopes in the town are subject to variance from the uniform standards established in these regulations, if deemed necessary by the Planning Commission and the Mayor and Council to carry out the intent and purpose of these regulations. If such variance is required, the Mayor and Council shall establish appropriate design and construction standards on an individual subdivision basis.

SECTION 6-3 LOTS. All lots which shall hereafter be established in connection with the development of a subdivision shall comply with the following design standards, unless the proposed subdivision is covered by appropriate provisions of the Zoning Ordinance, wherein relevant standards and requirements are different and shall take precedence:

- 6-31 Lot-Lines - Insofar as practical, side lot lines shall be perpendicular or radial to street lines.
- 6-32 Jurisdictional Limits and Lot Lines - Lots shall not be divided by town or county boundary lines.
- 6-33 Lot Frontage Arrangements - The subdividing of the land shall be such as to provide each lot with direct abutting access to an existing public street or to an approved street contained within the proposed subdivision. Each lot must front for at least 40 feet upon an approved street or road. (See Panhandle or Flag Lots.)
- 6-34 Adequate Building Sites - Each lot shall contain an adequate building site not subject to flooding and outside the limits of any existing easements or building setback lines required by this Ordinance and any existing ordinance as is appropriate.
- 6-35 Panhandle or Flat Lots - "Panhandle" or "Flag" lots, of required width and area, will be allowed where terrain makes standard design or frontage impossible or impractical. Where such lots are allowed, the street frontage of each panhandle access shall not be less than twenty (20) feet wide, and the panhandle access shall not be more than three hundred (300) feet long. Not more than two such panhandle access points shall abut each other, and, if so combined, the width of each panhandle may be reduced to not less than fifteen (15) feet. All such access points or combinations thereof shall be separated from each other by the frontage of a standard lot required under the other provisions of this Ordinance.

- 6-36 Double or Reverse Frontage Lots - Double and reverse frontage, unless required by the Town shall be prohibited except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography, orientation, and property size. A planting screen reservation of at least five (5) feet in width, and across which there shall be no right of access, may be required along the line of lots abutting such a traffic artery or other disadvantageous use.
- 6-37 Commercial and Industrial Lots - Size, shape, and arrangements of commercial and industrial lots, where platted and classified as a subdivision, as herein defined, shall be subject to the approval of the Mayor and Council. Where public water and/or sewer are not available, minimum lot size and minimum coverage shall be based on lot area needed for proper sewerage disposal and/or water supply.
- 6-38 Lot-Remnants - Lot remnants shall be prohibited. Such remnant areas shall be added to adjacent lots, rather than remain as unusable parcels.
- 6-39 Easements - Easements shall be required in subdivisions for the following purposes:
- 6-39 a. Utility Easements - When it is found to be necessary and desirable to locate public utility lines in other than street right-of-ways, easements shall be shown on the plat for such purposes. Such easements shall not be less than twelve (12) feet in width and where possible, shall be centered on rear or side lot lines.
- 6-39 b. Water Course and Drainage Easements - Where a proposed subdivision is traversed by a water course, drainage way or stream, appropriate provisions shall be made to accommodate storm water and drainage through and from the proposed subdivision. Such easement shall conform substantially with the lines of said water course and be of sufficient width or construction, or both, as to be adequate for the purpose.

ARTICLE VII

REQUIRED IMPROVEMENTS

SECTION 7-1 PERFORMANCE AND SPECIFICATIONS. A well-designed subdivision means little to a prospective lot buyer until he can see actual physical transformation of raw land into lots with all necessary improvements provided. Likewise, a well-designed subdivision is not an asset to the community until the necessary improvements have been installed. In order that prospective lot purchasers may get usable products and new subdivisions may be an asset rather than a liability to the community, every subdivider shall be required to make the improvements outlined in this Article in accordance with the specifications herein or otherwise adopted by the Mayor and Council. The improvements can be made by the appropriate local authority at the expense of the subdivider or the subdivider can make the improvements with the approval of the appropriate local authority concerned.

SECTION 7-2 GRADING. All streets, roads, and alleys shall be graded by the subdividers in such a manner that pavements and other improvements (sidewalks and curb and gutter, if provided or required) can be constructed to the required cross section. The minimum width of grading shall be the pavement width as specified in Section 6-113, plus six (6) feet on each side measured from the back of curb or pavement edge. Deviation from the above will be allowed only when due to special topographical conditions.

- 7-21 Preparation - Before grading is started the entire right-of-way area shall be first cleared of all stumps, roots, brushes, and other objectional materials and all trees not intended for preservation.
- 7-22 Cuts - All tree stumps, boulders, and other obstructions shall be removed to a depth of two (2) feet below the subgrade. Rock, when encountered shall be scarified to a depth of twelve (12) inches below the subgrade.
- 7-23 Fill - All suitable material from roadway cuts may be used in the construction of fills, approaches, or at other places as needed. Excess materials, including organic materials, soft clay, etc., shall be removed from the roadway. The fill shall be spread in layers not to exceed twelve (12) inches loose and compacted. The filling of utility trenches and other places not accessible to the roller shall be mechanically tamped.

- 7-24 Subgrade - The subgrade shall be properly shaped, rolled, and uniformly compacted to conform with the lines, grades, and typical cross sections as shown on drawings, if required and approved by a department or official designated by the Mayor and Council. Unsuitable material shall be excavated and replaced with acceptable compacted material.

SECTION 7-3 STORM DRAINAGE. An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided for the proper drainage of all surface water according to curb and gutter plans and specifications as required and approved by a department or official designated by the Mayor and Council. Cross-drains shall be provided to accommodate all natural waterflow, and shall be of sufficient length to permit full width roadway and the required slopes. The size of pipe to be provided shall be determined and approved by a department or official designated by the Mayor and Council.

SECTION 7-5 SIDEWALKS. Sidewalks may be required by the Town where safe and convenient pedestrian movement is essential, leading to or going through commercial areas, school sites, places of public assembly or across unusually long blocks. Required sidewalks or those installed at the option of the subdivider shall have a minimum width of three (3) feet, shall not be adjacent to curbs, and shall otherwise be installed according to plans and specifications as required and approved by the Mayor and Council.

SECTION 7-6 INSTALLATION OF UTILITIES. After grading is completed and approved and before any base is applied, all of the underground work within the street right-of-way--water mains, gas mains, etc.--shall be installed completely and approved throughout the length of the road and across the flat section. At the same time, all service connections shall be stubbed out to each lot.

SECTION 7-7 WATER SUPPLY SYSTEM.

- 7-71 Public Water System - Public water supply is available throughout Mansfield and connection thereto is required. Water mains and fire hydrants within the subdivision, along with connections to each lot, shall be provided, according to plans and specifications as required and approved by the Town of Mansfield.

SECTION 7-8 SANITARY SEWER DISPOSAL.

- 7-81 Public Sewerage System - When Mansfield's public sewerage system is available to a proposed subdivision, connection to the system is required.

The subdivider shall install and connect to the sewerage disposal facilities within the proposed subdivision or feasible portions thereof, to such public system in accordance with plans and specifications as required and approved by the Town of Mansfield.

- 7-82 Individual Sewer Disposal System - When a public sanitary sewerage system is not available, an alternate method of sewerage disposal for each lot may be approved. When an individual sewerage disposal method (septic tank) is proposed, appropriate data and information in compliance with the regulations of the County Health Department shall be provided to and approved by the County Health Department.

SECTION 7-9 STREET, ALLEY, AND SERVICE DRIVE IMPROVEMENTS. All streets to be paved must be prepared and paved according to the following methods or by equivalent methods that are acceptable to the Mayor and Council.

- 7-91 Base - The base shall consist either of select topsoil, sand clay, or other approved material having a minimum thickness of five (5) inches after being thoroughly compacted; and, shall be constructed on a prepared subgrade in accordance with these specifications and in conformity with the lines, grades, and typical cross section as shown of the drawings required and approved by a department or official designated by the Mayor and Council.

7-91 a. All materials shall be of an approved type.

7-91 b. All materials shall be mixed to the extent necessary to produce a thoroughly pulverized and homogeneous mixture.

7-91 c. As soon as the base material has been spread and mixed, the base shall be brought to approximate line, grade and cross section and then rolled with a sheepsfoot roller until the roller walks out and finally with a pneumatic tire or general purpose roller until full thickness of the base course has been compacted thoroughly. Defects shall be remedied as soon as they are discovered.

7-91 f. The base course shall be maintained under traffic and kept free from ruts, ridge and dustings, true to grade and cross section until it is primed.

7-91 e. No base material shall be deposited or shaped when the subgrade is frozen or thawing or during unfavorable weather conditions.

7-92 Pavement - Wearing surface shall conform to mixes found suitable by the Georgia Department of Transportation or an independent testing laboratory and shall be applied after prime coat. Unless otherwise approved by a department or official designated by the Mayor and Council, pavement shall be constructed as follows:

7-92 a. Prime coat shall be cut-back asphalt or cut-back asphalt-emulsion applied on a clean slightly damp surface in the amount of from 0.10 to 0.30 gallons per square yard, depending upon the nature and condition of the surface.

7-92 b. Wearing surface shall consist of an approved plant mix prepared in a central plant and composed of aggregate and bituminous material having an in-place minimum compacted thickness of 1.5 inches; or, in Residential Subdivisions where no lot is less than two (2) acres in size, a triple surface treatment consisting of the following materials per square yard:

A first application AC-15 (0.30 to 0.40 gallons), first spreading of aggregate (0.45 to 0.55 cubic feet, size M-5), second application of AC-15 (0.35 to 0.40 gallons), second spreading of aggregate (0.13 cubic feet, size 7), third application of AC-15 (0.15 to 0.20 gallons), and third spreading of aggregate (0.14 cubic feet, size 8).

7-93 Seals - Care and precaution shall be taken that all points between such structures as manholes and curbs, and the surface mixture are well sealed.

SECTION-7-10 REQUIRED SIGNS. Street name signs, as well as other traffic control or informational signs as required by the Mayor and Council or their designee, shall be installed within subdivisions. The location and design of such signs shall be approved by a department or official designated by the Mayor and Council.

SECTION 7-11 TREES.

- 7-11 a. Required Trees Along Dedicated Streets - Along both sides of all newly built streets that are constructed in accordance with street standards as set forth in this Ordinance, the developer shall either plant or retain sufficient trees so that between the paved portion of the street and a line running parallel to and 50 feet from the centerline of the street, there is, for every 100 feet of street frontage, at least an average of one deciduous tree that has, or will have when fully mature, a trunk at least 12 inches in diameter. The Administrator of this Ordinance will provide the developer with a list of tree species considered suitable for the Mansfield area.
- 7-11 b. Retention and Protection of Large Trees.
- 7-11 b. 1. Every development shall retain all existing trees 18 inches in diameter or more unless the retention of such trees would unreasonably burden the development.
- 7-11 b. 2. No excavation or other subsurface disturbance may be undertaken within the drip line of any tree 18 inches in diameter or more, and no impervious surface (including, but not limited to, paving or buildings) may be located within 12 1/2 feet (measured from the center of the trunk) of any tree 18 inches in diameter or more, unless compliance with this subsection would unreasonably burden the development. For purposes of

this subsection, a drip line is defined as a perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

- 7-11 b. 3. The retention or protection of trees 18 inches in diameter or more, as provided in Subsections (1) and (2), unreasonably burdens a development if, to accomplish such retention or protection, the desired location of improvements on a lot or the proposed activities on a lot would have to be substantially altered and such alteration would work an unreasonable hardship on the developer.

SECTION 7-12 MONUMENTS. Solid steel rods at least one-half (1/2) inch in diameter or square, two (2) feet long, shall be set at all street corners, at all points where street lines intersect the exterior boundaries of the subdivision, at angle points and points of curve in each street, and at points of change of direction in the exterior boundaries of the subdivision. The top of the monument shall have an indented cross to identify the location and shall be set flush or up to six (6) inches above the finished grade. All other lot corners shall be marked with solid steel rods not less than 1/2 inch in diameter, and at least twenty-four (24) inches long and driven so as to be flush with the finished grade.

ARTICLE VIII

SURETY FOR COMPLETION OF IMPROVEMENTS

SECTION 8-1 SURETY FOR COMPLETION OF IMPROVEMENTS. In lieu of the completion of the required improvements in a subdivision, the subdivider may provide surety for the completion of such improvements and present a Final Plat for approval.

SECTION 8-2 REQUIREMENTS. To assure the construction and installation of required improvements, the subdivider shall deliver to the Mayor and Council, a certified check, letter of credit, or cash escrow, bond, or other acceptable surety, whichever is specified by the Mayor and Council, in such amount as is estimated by the Mayor and Council, to be the total cost of the construction and installation of the required improvements, which are the responsibility of the subdivider.

SECTION 8-3 CONDITIONS. Bonds posted or other surety provided shall run to the public authority having jurisdiction over the required improvements for which surety is made, and provided that the subdivider, his heirs or successors, and their agents and servants, will comply with all applicable terms, conditions, provisions, and requirements of these regulations, other laws and regulations, and requirements as specified by the appropriate public authority. If bond is offered, it shall be executed by a surety and guaranty company qualified to transact business in the State of Georgia.

SECTION 8-4 DURATION AND RELEASE. Bonds posted or other surety provided pursuant to these regulations shall be released, returned or otherwise disposed of by the holder as the case may be, at such time as the facilities guaranteed or provided therefor, have been installed and approved. Approval shall be in writing accurately describing the improvements covered. Facilities shall not be accepted or approved unless they conform to the specifications and requirements of these regulations and the Mayor and Council.

SECTION 8-5 DEFAULT. If the construction or installation of any improvements or facilities by the subdivider, for which a bond is posted or other surety is provided, is not completed within the period of performance specified by the Mayor and Council at the time the surety is provided, or if said construction or installation by the subdivider is not in accordance with the applicable specifications and requirements of the appropriate authority, said construction or installation may be completed using the proceeds from such surety deposits to pay for such work. Such work may be done under contract or by the local authority and shall be completed within six (6) months after the date that said construction or installation is determined to be in violation of these regulations.

To the extent that any portion of a surety deposit is not required or used, said excess surety shall be repaid to the person or entity making the deposit.

SECTION 8-6 CERTIFICATION OF RECEIPT OF SURETY FOR REQUIRED IMPROVEMENTS. A certificate or statement of receipt of surety by the public authority having jurisdiction shall be inscribed on or attached to the Final Plat and executed by the appropriate public authority for the required improvement(s) for which separate surety is provided.

ARTICLE IX

ADMINISTRATION

SECTION 9-1 ADMINISTRATION AND ENFORCEMENT. In addition to other responsibilities and authorities noted in other sections of these regulations, the duty of administering, interpreting, and enforcing the provisions of these regulations, is hereby conferred upon the Planning Commission as the designee of the Mayor and Council. Any and all resources of, or available to, the Mayor and Council, as necessary to carry out these responsibilities, shall be utilized with the approval of the Mayor and Council.

SECTION 9-2 ADMINISTRATIVE PROCEDURES. The Planning Commission shall define and establish the procedures for the administration of these regulations except as otherwise provided by these regulations, and may, with the approval of the Mayor and Council, designate an administrator to carry out certain administrative functions.

SECTION 9-3 OTHER REGULATIONS AND AUTHORITIES. When other local or State agencies have regulations and authority affecting any aspect of the development of a subdivision, it shall be the duty of that or those agencies to enforce those regulations, and it shall be the responsibility of the subdivider to submit appropriate documents and materials to those agencies and receive statements of acceptance or approval, accordingly, before submitting any plats to the Planning Commission.

SECTION 9-4 RELIEF. Whenever the administration, or interpretation of these regulations, or the application of standards herein resulting in extreme difficulties, injustice or hardship in the opinion of the subdivider, the subdivider may seek relief from the Mayor and Council. The Mayor and Council, after a report from the Planning Commission, may direct the Planning Commission to make reasonable changes in its interpretation of these regulations, alter its administrative procedures, or exercise its authority under Sections 10-1 or 10-2 in varying or waiving any standards or requirements of these regulations, as long as the public welfare and interests of the town are protected and the general intent and spirit of these regulations are preserved.

ARTICLE X

VARIANCES AND WAIVERS

SECTION 10-1 VARIANCES. When there is a request from a subdivider, in written form, and where the Planning Commission finds that extraordinary or unnecessary hardships may result from strict compliance with these regulations, the Planning Commission may request variance by the Mayor and Council of the regulations so that substantial justice may be done and the public interest secured; provided that such variations are not in conflict with the requirements of another authority having jurisdiction and will not have the effect of nullifying the intent and purpose of the Comprehensive Land Use Policy Plan, the Zoning Ordinance, or any other development regulations adopted by the Town.

SECTION 10-2 WAIVERS. When there is a request from a subdivider, in written form, and where the Planning Commission finds that, due to the special circumstances of a particular plot, the provisions of certain required improvements is not requisite in the interest of the public health, safety and general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, the Planning Commission may request a waiving of such requirements subject to appropriate conditions by the Mayor and Council.

SECTION 10-3 CONDITIONS OF VARIANCES. In granting variances and modifications, the Mayor and Council may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

ARTICLE XI

VIOLATIONS AND REMEDY

SECTION 11-1 VIOLATIONS AND REMEDY. Any person, firm, corporation, or entity accused of a violation of this Regulation shall, upon conviction, be punished by imposition of a fine of not more than \$500.00 or sixty (60) days imprisonment or both. Each offense shall constitute a separate offense for each day such violation shall continue.

ARTICLE XII

AMENDMENTS

SECTION 12-1 CHANGES AND AMENDMENTS. Any regulations or provisions of this Ordinance may be changed and amended from time to time by the Mayor and Council of the Town of Mansfield, provided, however, that such changes or amendments shall not become effective until after a study and report by the Planning Commission and until after a public hearing has been held thereon, the time and place of which shall have been published in a newspaper of general circulation, at least fifteen (15) days prior to such hearing. It will also contain the location where maps, plats, or information on the proposed amendments may be examined by the public prior to the hearing.

ARTICLE XIII

VALIDITY

SECTION 13-1 VALIDITY. Should any section, clause or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such adjudication shall not effect the validity of these regulations as a whole or any part thereof other than the part so declared to be invalid, each section, clause and provision thereof being declared severable.

ARTICLE XIV

CONFLICTING ORDINANCES

SECTION 14-1 CONFLICT WITH OTHER LAWS. Whenever the provisions of these regulations impose more restrictive standards than are required in or under any other statute, ordinance, or resolution, the regulations herein contained shall prevail, unless otherwise specified in these regulations. Whenever the provisions of any other statute, ordinance, or resolution require more restrictive standards than are required herein, the requirements of such regulations shall prevail, unless otherwise specified in these regulations.

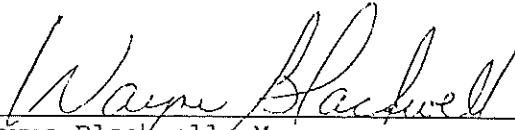
SECTION 14-2 REPEAL OF CONFLICTING REGULATIONS. All ordinances and resolutions regulating the subdivision of land adopted prior to these regulations are hereby repealed.

ARTICLE XV

ADOPTION AND EFFECTIVE DATE

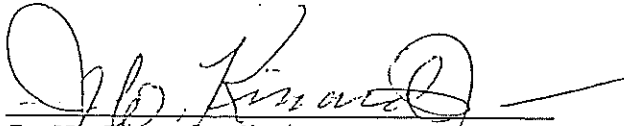
SECTION 15-1 ADOPTION AND EFFECTIVE DATE. These Regulations shall take effect and be in force from and after the date of their adoption.

Adopted and approved by the Mayor and Council on April 13, 1987, after a public hearing on January 12, 1987.



Wayne Blackwell, Mayor
Town of Mansfield

Recommended for approval and adoption by the Mansfield Planning Commission on March 21, 1987.



J. W. Kinard, Chairman
Mansfield Planning Commission