

City of Suwanee Development Regulations

**ARTICLE 10
PLAN AND PLAT SPECIFICATIONS**

10.1 CONCEPT PLAN SPECIFICATIONS

The following paragraphs outline the required elements of both the required and optional plans and plats mentioned throughout these Regulations, and especially in Articles 4 and 11.

10.1.1 The Concept Plan for a subdivision or site development shall be clearly and legibly drawn at a scale of not less than 100 feet to one inch. Sheet size shall not exceed 48 inches by 36 inches, provided, however, a scale of 200 feet to one inch may be used to avoid sheets in excess of 48 inches by 36 inches. The Director may approve other scales and sheet sizes as deemed appropriate.

10.1.2 The Concept Plan may be prepared as a freehand drawing to approximate scale of the proposed improvements, right-of-way, lot lines, etc., shown on a boundary survey or other property outline map of the property.

10.1.3 The Concept Plan shall contain the following:

- a. Approximate total acreage.
- b. Proposed total number of lots and minimum lot size.
- c. Size and location of adjoining existing streets or access drives and proposed right-of-way, roadways, and access drives.
- d. For multi-family and nonresidential site developments (not subdivisions), the approximate location and arrangement of buildings, parking areas, and other improvements including stormwater detention areas, and all required buffers.
- e. Topography with contour intervals no greater than 10 feet.
- f. Proposed method of sewage disposal (expressed as a note).
- g. Boundary lines of the overall property showing bearings and distances along all lines and the bearings and distance to an existing street intersection or other recognized permanent landmark. The source of said boundary information shall be indicated.

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h. All contiguous property under the ownership or control of the developer, except those lands of a dissimilar zoning category specifically approved to be excluded by the Department. Areas not planned at the time of the submittal shall be shown as "Future Development".

i. Authorization statement on Concept Plan to read as follows:

I hereby submit this Concept Plan as authorized agent/owner of all property shown thereon, and certify that all contiguous property under my ownership or control is included within the boundaries of this Concept Plan, as required by the Development Regulations.

Signature of Authorized Agent/Owner

Date

j. Location sketch (vicinity map).

k. Lakes, ponds, and floodplains and the source of floodplain data including the panel number of flood insurance rate maps.

l. Required recreation areas, and other public areas to be dedicated to the public or held in common ownership by a homeowner association or other similar entity.

m. Existing zoning of the property and adjoining properties.

n. Land lot and district.

o. Subdivider's name, local, and permanent (if different) address and phone number.

p. Name of company or person who prepared plan, local and permanent River Tributary Protection Areas, if applicable to the property.

q. Boundaries of the Chattahoochee River Corridor and Chattahoochee River Tributary Protection Areas, if applicable to the property.

r. General development data (in tabular form) for individual multi-family or nonresidential site developments, such as number of residential

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units, number of gross square feet of nonresidential floor area by building, number of parking spaces, number of stories, etc.

- s. General development data (in tabular form) for single family developments, such as minimum lot size, floor area, and all relevant conditions of zoning.
- t. Signature block to read as follows:

CONCEPT PLAN APPROVAL

THIS CONCEPT PLAN HAS BEGIN REVIEWED AND APPROVED FOR GENERAL COMPLIANCE WITH THE ZONING ORDINANCE AND DEVELOPMENT REGULATIONS OF THE CITY OF SUWANEE, GEORGIA.

BY: _____
DIRECTOR, CITY OF SUWANEE PLANNING DEPARTMENT DATE _____

10.2 SUBDIVISION DEVELOPMENT PLANS

10.2.1 An application for a development permit for a subdivision shall consist of the Preliminary Plat, a certified boundary survey, associated slope or construction easements (if any), and such other Development Plans as may be required by these Regulations.

10.2.2 The Development Plans shall generally conform to the Concept Plan, if any, and may constitute only that portion of the approved Concept Plan which the subdivider proposes to construct at one time as a single unit, provided that such portion conforms to the requirements of these rules and regulations. If no Concept Plan was approved on the property, the Development Plans shall include the entire property being developed within the same zoning category.

10.2.3 Scale
The Development Plans shall be clearly and legibly drawn at a scale of not less than 100 feet to one inch. Sheet size shall not exceed 48 inches by 36 inches. Plan and Profile sheets shall have a horizontal scale of no less than 100 feet to one inch and a vertical scale of no less than 10 feet to one inch.

10.2.4 Certified Boundary Survey

- a. The Preliminary Plat shall be based on a certified boundary survey delineating the entirety of the property contained within the

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Preliminary Plat, and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than 1 in 10,000, and shall meet all requirements of Georgia Law regarding the recording of maps and plats.

- b. Each Preliminary Plat shall be drawn on, accompanied by, or referenced to a boundary survey which shall at least meet the requirements of 10.2.4,a above.

10.2.5 The Preliminary Plat shall contain the following:

- a. Proposed name of subdivision.
- b. Name, address, and telephone number of the owner of record, and of the subdivider (if not the owner).
- c. Name, address, and telephone number of each professional firm associated with the Development Plans (engineer, surveyor, landscape architect, etc.).
- d. Date of survey, north point, and graphic scale, source of vertical datum, date of plat drawing, and space for revision dates.
- e. Proposed use of the site, such as single-family detached residences, duplexes, townhouses, office park, industrial subdivision, etc. For residential, indicate total number of dwelling units within plat.
- f. Location (Land District and Land Lot), acreage, and density (if applicable).
- g. Location sketch locating the subdivision in relation to the surrounding area with regard to well known landmarks such as major thoroughfares or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than one inch equal to 2,000 feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.
- h. Name of former subdivision if any or all of the land in the Preliminary Plat has been previously subdivided, showing boundaries of same.
- i. Boundary lines of the perimeter of the tract indicated by a heavy line

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giving lengths in feet and hundredths of a foot, and bearings in degrees, minutes, and seconds. Bearing and distance to designated tie point.

- j. Directional flow arrows for street drainage and individual lot drainage when finished grading of lots is not shown.
- k. Contour lines based on sea level datum, or other datum acceptable to the Department. These shall be drawn at intervals of not more than two feet. Contour lines shall be based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic contour shown shall be specified and dated.
- l. Natural features within the proposed subdivision, including drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses leaving the tract, the direction of flow shall be indicated. The 100-year floodplain shall be outlined and the source of the depicted floodplain information shall be indicated. For those lots containing floodplain, a Floodplain Lot Chart shall be provided showing the area (in square feet) of each lot lying inside and outside of the floodplain as though the land disturbance activity were completed.
- m. Man-made and cultural features existing within and adjacent to the proposed subdivision including existing right-of-way measured from centerline, pavements widths, and names of existing and platted streets; all easements, city, and County jurisdiction lines; existing structures on the site and their disposition, Chattahoochee River Corridor information and limits of Chattahoochee River Tributary protection Area (if applicable), and other significant information. Location and dimensions of existing bridges; water, sewer, and other existing utility lines and structures; culverts and other existing features should be indicated.
- n. Proposed layout including lot lines, lot numbers, and block letters; proposed street names, roadway and right-of-way lines; and, sites reserved through covenants, easement, dedication, or otherwise for public uses. Lots shall be numbered in numerical order and blocks lettered alphabetically. The minimum building setback line from all streets. Streets shall be dimensioned to show right-of-way and roadway widths, central angles, intersection radii, and cul-de-sac roadway and right-of-way radii. Centerline curve data shall be

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provided for all roadway curves [radius, length, amount of superelevation (if any), point of curvature (P.C.), point of tangency (P.T.), etc.] if not shown separately on construction drawings.

- o. Identify unit number, division, or stage of development, if any, as proposed by the subdivider.
- p. Existing zoning of the property. Rezoning and variance case numbers, dates of approval and conditions (as applicable). Note minimum lot size and minimum yard setback requirements, and other applicable zoning requirements. Show and dimension any required buffers, landscape strips, no-access easements, etc. Note any approved Waivers from these Regulations.
- q. All adjoining property owners, subdivision names, lot numbers and lot lines, block letters, and zoning.
- r. Location of all known existing or previously existing landfills.
- s. Proposed recreation area, if any; area of the site; area and percent of site within the 100-year floodplain; proposed disposition of the site (public ownership, homeowners association, etc.).
- t. Such additional information as may be reasonably required to permit an adequate evaluation of the subdivision.

10.2.6

Certificate of Development Plans Approval

Each Preliminary Plat shall carry the following certificate printed or stamped thereon:

CERTIFICATE OF PRELIMINARY PLAT APPROVAL

ALL REQUIREMENTS OF THE CITY OF SUWANEE DEVELOPMENT REGULATIONS RELATIVE TO THE PREPARATION AND SUBMISSION OR A SUBDIVISION DEVELOPMENT PERMIT APPLICATION HAVING BEEN FULFILLED, AND SAID APPLICATION AND ALL SUPPORTING PLANS AND DATA HAVING BEEN REVIEWED AND APPROVED BY ALL AFFECTED CITY AND COUNTY DEPARTMENTS AS REQUIRED UNDER THEIR RESPECTIVE AND APPLICABLE REGULATIONS, APPROVAL IS HEREBY GRANTED, OR THIS PRELIMINARY PLAT AND ALL OTHER DEVELOPMENT PLANS ASSOCIATED WITH THIS SUBDIVISION, SUBJECT TO ALL FURTHER PROVISIONS OF SAID DEVELOPMENT AND OTHER CITY EXISTING REGULATIONS.

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BY: _____
DIRECTOR, CITY OF SUWANEE PLANNING DEPARTMENT DATE _____

THIS CERTIFICATE EXPIRES TWELVE MONTHS FROM THE DATE OF APPROVAL UNLESS A DEVELOPMENT PERMIT IS ISSUED.

NOTE: THE BOUNDARIES OF THE LOTS SHOWN ON THIS PLAT HAVE NOT BEEN SURVEYED. THIS PLAT IS NOT FOR RECORDING.

10.2.7 The Preliminary Plat shall be accompanied by other Development Plans showing the following information when same is not shown on, or evident from the Preliminary Plat. The various plans may be combined where appropriate and clarity can be maintained.

- a. Erosion Control Plan prepared in accordance with the requirements of the Soil Erosion and Sediment Control Ordinance. Erosion control measures may be shown on the Grading Plan, if desired.
- b. Grading Plan prepared in accordance with the requirements of Article 8 of these Regulations if grading is proposed beyond the street right-of-way.
- c. Storm water Drainage Construction Data:
 - (1) Location and size of all proposed drainage structures, including detention ponds, catch basins, grates, headwalls, pipes and any extensions thereof, energy dissipators, improved channels, and all proposed drainage easements to be located outside street right-of-way lines.
 - (2) Profiles of all storm drainage pipes and slope of receiving channels. On storm drainage profiles a pipe chart will be shown which will include pipe numbers, pipe size, pipe material, pipe slope, pipe length, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity. The hydraulic grade line will be shown on all pipes for the required design flow.
 - (3) Profiles of all open channels and ditches including Mannings' 25-year storm normal depth and velocity. On storm drainage profiles, an open channel chart will be shown which will include open channel numbers, conveyance size, lining material, length, channel slope, contributing drainage area, design storm

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- frequency, runoff coefficient and velocity.
- (4) Hydrological study used in determining size of structures, including map of all contributing drainage basins and acreage.
- d. If sanitary sewers are required by Water Pollution Control, Sanitary Sewer Plans, including the location and size of all proposed sewer lines, manholes, and any easements required therefore, together with sufficient dimensions to locate same on the ground.
- e. Construction Data for New Streets and Street Widening:
- (1) Centerline profiles and typical roadway sections of all proposed streets, as well as plans and profiles for all proposed major thoroughfares. Typical roadway sections shall be provided for street widenings.
 - (2) Where sanitary or storm sewers are to be installed within a street, the grade; size, location, and bedding class of pipe; location and invert elevation of manholes shall be indicated on the road profile.
 - (3) Profiles covering roadways that are extensions of existing roadways shall include: elevations at 50 foot intervals for such distance as may be adequate to provide continuity consistent with the standards required by the Regulations for street improvements, but no less than 200 feet.
 - (4) All elevations shall be coordinated and tied into U.S. Coast and Geodetic Survey or Department of Transportation bench marks where feasible, or into reference monuments established by the Federal Emergency Management Agency.
 - (5) Stub streets shall be profiled at least 200 feet onto adjoining property (no tree cutting).
- f. Buffer and Landscape Plan, if any such areas exist within the subdivision, prepared in accordance with the specifications under this Article, the requirements of Article 5 of these Regulations, and the requirements of the Buffer, Landscape, and Tree Ordinance.
- g. Tree Preservation/Replacement Plan (if required by the Tree Protection Ordinance).
- h. Floodplain Management Plans. If any floodplain areas are located on the property, such data as is required by the Floodplain Management Ordinance of these Regulations shall be submitted.

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10.2.8 Encroachments

Where construction is proposed on adjacent property, an encroachment agreement or easement shall be submitted to the Department.

10.3 FINAL PLAT SPECIFICATIONS

10.3.1 The Final Plat shall be clearly and legibly drawn in black ink on tracing cloth or other permanent reproducible material. The scale of the Final Plat shall be 100 feet to one inch (1" equals 100') or larger. Sheet size shall not exceed 48 inches by 36 inches. (Any sheet that is larger than 17 inches by 22 inches must be photographically reduced to no more than 17 inches by 22 inches in order to be recorded with the Clerk of the Superior Court.)

10.3.2 The Final Plat shall be based on a certified boundary survey delineating the entirety of the property contained within the Final Plat, and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than 1 in 10,000, and shall meet all requirements of Georgia Law regarding the recording of maps and plats.

10.3.3 The Final Plat shall substantially conform to the Preliminary Plat and it may constitute only that portion of the approved Preliminary Plat which the subdivider proposes to record at any one time, provided that such portion conforms to the requirements of these Regulations, and said portion is not inconsistent with the public health, safety, or welfare. Any substantial deviation from the Preliminary Plat shall require revision and reapproval of the Preliminary Plat.

10.3.4 The Final Plat shall contain the following information:

- a. Name of the subdivision, unit number, Land District, and Land Lot number.
- b. Name, address, and telephone number of owner of record, and the subdivider (if not the owner).
- c. Name, address, and telephone number of each professional firm associated with the portion of the subdivision within the Final Plat (engineer, surveyor, landscape architect, etc.).

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- d. Date of plat drawing, graphic scale, north point; notation as to the reference of bearings to magnetic, true north or grid north, and indication whether bearings shown are calculated from angles turned.
- e. Location sketch of tract showing major surrounding features.
- f. Name of former subdivision, if any or all of the Final Plat has been previously recorded.
- g. Case number and date of approval for any applicable rezoning, Special Use Permit, Variance or Waiver affecting the property.
- h. Location and dimension of any buffer, landscape strip, special setback, no-access easement, etc., required by the Zoning Ordinance or these Regulations.
- i. Boundary lines of the tract, to be indicated by a heavy line, giving distances to the nearest one-hundredth foot and bearings to the nearest second. Bearing and distance to designated tie point shall be shown. The Plat shall have a closure precision of 1 foot in no less than 10,000 feet.
- j. Municipal or County jurisdictional lines approximately tied to the lines of the subdivision by distance and angles when such lines traverse or adjoin the subdivision; land lot lines traversing or adjoining the subdivision shall also be indicated.
- k. Locations, widths, and names of all streets and alleys within and immediately adjoining the plat, the location and widths of all internal public crosswalks, and all other public rights-of-way.
- l. Street center lines showing angles of deflection and standard curve data including radii, length of arcs and tangents between curves, point of curvature (P.C.) and point of tangency (P.T.).
- m. Lot lines with dimensions to the nearest one-tenth of a foot and bearings to the nearest second, and radii of rounded corners, as necessary to delimit each lot.
- n. Building setback lines along streets with dimensions.

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- o. When lots are located on a curve or when side lot lines are at angles other than 90 degrees, the lot width measured in accordance with the provisions of the Zoning Ordinance may be required to be shown, if deemed necessary by the Department for clarity.
- p. Lots numbered in numerical order and blocks lettered alphabetically.
- q. Location and size of all drainage pipe, location and extent of detention ponds, the location and size of all public water mains and fire hydrants, and the location, dimensions, and purpose of any easements, including construction or slope easements if required.
- r. Location of any areas to be reserved, donated, or dedicated to public use with notes stating their purpose and limitations. Location of any areas to be reserved by private deed covenant for common use of all property owners, or dedicated to a homeowner's association.
- s. A statement of private covenants if any, and they are brief enough to be put directly on the plat; otherwise, if covenants are separately recorded, a statement as follows:

This plat is subject to the covenants set forth in the separate document(s) attached hereto dated_____, which hereby become a part of this plat, and which were recorded _____ and signed by the owner.
- t. Accurate location, material, and description of monuments and markers (all monuments shall be in place prior to approval of the Final Plat.)
- u. Certificates and statements specified in these Regulations, below.
- v. All information required under the Georgia Metropolitan River Protection Act for recording of plats, if applicable.
- w. Extent of the 100-year floodplain and a floodplain chart showing the area within and outside the floodplain for each lot containing any portion of the 100-year floodplain. Origin of the floodplain data shall be indicated.
- x. Street address numbers and block number designations for street names signs on abutting streets, where appropriate.

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- y. Individual lots shall be designated HLP (House Location Plan), RDP (Residential Drainage Plan) and/or RDS (Residential Drainage Study) if such are required by the Department to be approved prior to issuance of a building permit.
- z. All other notes or notations as may be required by the Department.

10.3.5 If any lands are shown as the Final Plat for dedication to City of Suwanee other than street rights-of-way or easements, a Warranty Deed transferring title to said land in fee simple, in a form acceptable to the Director, shall be submitted with the Final Plat application.

10.3.6 If any lands are shown on the Final Plat for dedication to a Property Owners Association in order to meet minimum park or open space requirements of these Regulations, a copy of the deed of transfer for such dedication and a copy of the instrument of incorporation of the Property Owners Association shall be submitted with the Final Plat application.

10.3.7 Each Final Plat shall carry the following certificates or statements printed or stamped thereon as follows:

- a. Final Surveyor's Certificate:

It is hereby certified that this plat is true and correct as to the property lines and all improvements shown thereon, and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist, and their location, size, type and material are correctly shown. The field data upon which this plat is based has a closure precision of one foot in _____ feet and an angular error of _____ per angle point, and was adjusted using _____ rule. This plat has been calculated for closure and is found to be accurate within one foot in _____ feet, and contains a total of _____ acres. The equipment used to obtain the linear and angular measurements herein was _____ .

By: _____
REGISTERED GEORGIA LAND SURVEYOR

REG NO _____ DATE OF EXPIRATION _____

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b. Owners Acknowledgment and Declaration:

(STATE OF GEORGIA)
(COUNTY OF GWINNETT)
(CITY OF SUWANEE)

The owner of the land shown on this plat and whose name is subscribed thereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey, and dedicated by this Declaration to the use of the public forever all streets, sewer collectors, lift stations, drains, easements, and other public facilities and appurtenances thereon shown, and transfers ownership of all public use areas in fee simple by deed, for the purposes therein expressed.

SUBDIVIDER _____ OWNER _____

DATE _____ DATE _____

c. PLANNING DEPARTMENT APPROVAL CERTIFICATE

THIS PLAT HAS BEEN SUBMITTED TO, REVIEWED AND APPROVED BY THE PLANNING DEPARTMENT OF THE CITY OF SUWANEE, GEORGIA.

BY: _____
DIRECTOR, CITY OF SUWANEE PLANNING DEPARTMENT DATE _____

FINAL PLAT APPROVAL

The Mayor of the City of Suwanee, Georgia certifies that this plat complies with the City of Suwanee Zoning Ordinance, conditions of zoning approval, and the City of Suwanee Development Regulations, as amended, and has been approved by all other affected City and County departments, as appropriate. The Mayor hereby accepts on behalf of the City of Suwanee and Gwinnett County, the dedication of the right-of-way of all public streets and drainage easements, public water, sewer, drainage, and other public facilities and appurtenances shown thereon; further, the Mayor hereby accepts on behalf of the Gwinnett County Water and Sewerage Authority all water and sanitary sewer easements. This plat is approved, subject to the provisions and requirements of the Development Performance and Maintenance Agreement executed for this project between the owner and the City of Suwanee.

BY: _____
MAYOR, CITY OF SUWANEE DATE _____

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- d. Health Department Certification (for Subdivisions Served by Septic Tanks):

The lots shown hereon have been reviewed by the Gwinnett County Health Department and with the exception of lots _____ are approved for development. Each lot is to be reviewed by the Gwinnett County Health Department and approved for septic tank installation prior to the issuance of a building permit.

DATED THIS _____ DAY OF _____, 19__.

BY: _____

TITLE: _____
GWINNETT COUNTY HEALTH DEPARTMENT

- e. Public Notice - Drainage:

Every residential Final Plat shall contain the following statements:

- i. NOTE: City of Suwanee assumes no responsibility for overflow or erosion of natural or artificial drains beyond the extent of the street right-of-way, or for the extension of culverts beyond the point shown on the approved and recorded subdivision plat.
- ii. NOTE: Stream Buffer Easements are to remain in a natural and undisturbed condition.
- iii. NOTE: Structures are not allowed in drainage easements.

Every nonresidential Final Plat shall contain the following statements:

- i. NOTE: City of Suwanee assumes no responsibility for overflow or erosion of natural or artificial drains beyond the extent of the street right-of-way, or for the extension of culverts beyond the point shown on the approved and recorded subdivision plat. City of Suwanee does not assume the responsibility for the maintenance of pipes in drainage easements beyond the City or County right-of-way.
- ii. NOTE: Stream Buffer Easements are to remain in a natural and undisturbed condition.
- iii. NOTE: Structures are not allowed in drainage easements.

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g. House Location Plans (HLP):

On any Final Plat containing a lot for which a House Location Plan approval will first be required prior to issuance of a building permit, the following statement shall be included:

HLP - HOUSE LOCATION PLAN

A House Location Plan shall be required to be approved by the Department prior to issuance of a Building Permit on those lots labeled "HLP". A House Location Plan is a scale drawing submitted by the builder at the time of permit. It is not required that this plan be prepared by a land surveyor or professional engineer. The purpose of this plan is to ensure that the house is properly located on the lot. Please refer to the City of Suwanee Development Regulations or contact the City of Suwanee Department Planning and Community Development for further information.

h. Residential Drainage Plan (RDP) or Study (RDS): On any Final Plat containing a lot for which a Residential Drainage Plan (RDP) or Residential Drainage Study (RDS) will first be required prior to issuance of a Building Permit, the following statement shall be included, as applicable:

**RDP - RESIDENTIAL DRAINAGE PLAN
RDS - RESIDENTIAL DRAINAGE STUDY**

A Residential Drainage Plan or Residential Drainage Study shall be required to be approved by the Department of Planning and Development prior to issuance of a Building Permit on those lots labeled "RDP" or "RDS", respectively. Please refer to the City of Suwanee Development Regulations and contact the City of Suwanee Department of Planning and Community Development for further information.

10.4 HOUSE LOCATION PLAN (HLP)
(Please refer to section 9.2 of these Regulations for why an HLP may be required.)

10.4.1 House Location Plans shall be drawn to scale and may be shown on a certified boundary survey of the lot or any other drawing showing the information required below. The Department may accept a House Location

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Plan drawn to the same scale as shown on the Final Plat where sufficient detail can be shown to support an adequate review and approval. The House Location Plan may be combined with a Residential Drainage Plan (RDP) if an RDP is required for the lot.

- 10.4.2 It is not the intent of the Department that the House Location Plan be prepared by a registered surveyor or engineer, but may be done by the individual proposing the improvements on the lot. It is the intent, however, to receive a drawing with sufficient readability and accuracy to ensure that the proposed improvements will be constructed on the lot in conformance with the requirements of these Regulations, the Zoning Ordinance, or other regulations, as applicable.
- 10.4.3 House Location Plans shall show the following as applicable:
- a. Boundary lines of the lot, giving distances to the nearest one-tenth of a foot and bearings to the nearest minute.
 - b. Location and names of all abutting streets or other rights-of-way.
 - c. Minimum required front, side and rear building setback lines with dimensions, and notation of the existing zoning on the property.
 - d. The approximate outline of all buildings, driveways, parking areas, swimming pools, recreational courts, patios, accessory structures and other improvements existing or proposed on the property, and dimensions of buildings and distances between all structures and the nearest property lines.
 - e. All easements, public water, sewer or storm drainage facilities traversing or located on the property, septic tank, and septic tank drain field.
 - f. Subdivision name, lot designation, land lot, and district.
 - g. North arrow and scale.
 - h. Limit of the 100-year floodplain and any applicable buffers or special building setback lines.
 - i. If the lot is located within the Chattahoochee River Corridor, the location of each area by vulnerability category and calculations of

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impervious surface and clearance by category, or other such data in accordance with the Certification for the subdivision approved under the Metropolitan River Protection Act. Show also any buffer or setback required by the Metropolitan River Protection Act.

- j. All other applicable requirements of the Zoning Ordinance or conditions of zoning approval.
- k. Name, address, and telephone number of the owner and the person who prepared the HLP.

10.4.4 A Certificate of Occupancy shall not be issued for the structure or other improvements until conformance to the provisions or other requirements of the House Location Plan have been field verified by the Department or by a foundation survey prepared for the builder.

10.4.5 The House Location Plan shall contain the following signature block. If the HLP was required because of floodplain on the lot, the language contained within the brackets must be included; otherwise, it should be deleted from the signature block.

This House Location Plan has been reviewed for general compliance with the Zoning Ordinance and Development Regulations of City of Suwanee, Georgia, and is approved for issuance of a Building Permit for the residential structure and other improvements shown hereon. [No framing inspection will be approved until a certification of the elevation of the lowest floor, as built, prepared by a Registered Land Surveyor or Professional Engineer, has been received by the Department.] This approval is granted with the provision that no Certificate of Occupancy shall be issued for completion of construction until conformance to this House Location Plan has been field verified by the Department of Planning and Development or has been verified by a foundation survey prepared for the builder by a Registered Land Surveyor.

Department of Planning and Development

Date

10.5 RESIDENTIAL DRAINAGE PLAN (RDP) OR STUDY (RDS)
(Please refer to Section 9.2 of these Regulations for why a RDP may be required.)

10.5.1 Residential Drainage Plans shall be drawn to scale on a certified boundary

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survey of the lot prepared by a Registered Land Surveyor, having an error of closure not exceeding one in 5000. The Residential Drainage Plan may be combined with a House Location Plan (HLP) if an HLP is required for the lot. The requirements contained herein shall also apply to lots which formerly required SPED (Site Plan - Engineering Division) approval prior to issuance of a building permit.

10.5.2 Residential Drainage Plans shall show the following as applicable:

- a. Boundary lines of the lot, giving distances to the nearest one-tenth of a foot and bearings to the nearest minute.
- b. Location and names of all abutting streets or other rights-of-way.
- c. The outline of all buildings, driveways, parking areas, swimming pools, recreational courts, patios, accessory structures and other improvements existing or proposed on the property, and dimensions of buildings and distances between all structures and the nearest property lines as required to locate the major improvements on the lot.
- d. All easements, public water or sewer facilities traversing or located on the property, and septic tank drain field.
- e. Subdivision name, lot designation, land lot, and district.
- f. North arrow and scale.
- g. Contour lines based on sea level datum. These shall be drawn at intervals of not more than two feet, and shall be based on a field survey. Proposed grading of the lot shall be shown along with the finished floor elevation of the lowest habitable floor of the house.
- h. Storm water features, including swales, pipes, storm water detention and other structures, all drainage (DE) easements, and directions of flow.
- i. Floodplain features, including the limits of the flood hazard area, 100-year flood high water elevation, origin of the floodplain data, and any proposed modifications to the floodplain limits.
- j. Sedimentation and erosion control measures to be taken or placed

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on the lot during construction.

- k. Names, address, and telephone number of the owner and person who prepared the RDP.
- l. Seal, registration number, and date of expiration of the Professional Engineer or Landscape Architect who prepared the drainage improvements or modifications shown on the RDP.

10.5.3 A Residential Drainage Study (RDS) shall be conducted by the Department prior to issuance of a Building Permit on those lots so noted on the Final Plat. The requirements for a RDS contained herein shall also apply to lots which formerly required SSED (Site Study - Engineering Division) approval prior to issuance of a building permit. The Residential Drainage Study shall be conducted on the lot after the following has been completed by the builder but prior to the building permit issuance:

- a. Rough grading of the lot.
- b. Staking of the corners of the proposed house and driveway location.
- c. Flagging or staking of all property line corners.
- d. Placement of erosion control devices.

10.5.4 A Certificate of Occupancy shall not be issued for the structure until the provisions or improvements required by the Residential Drainage Plan or as a result of the Residential Drainage Study have been field verified by the Department.

10.5.5 The Residential Drainage Plan shall contain the following signature block. If the RDP was required because of floodplain on the lot, the language contained within the brackets must be included: otherwise, it should be deleted from the signature block.

This Residential Drainage Plan has been reviewed for general compliance with the Zoning Ordinance and Development Regulations of City of Suwanee, Georgia, and is approved for issuance of a Building Permit for the residential structure and other improvements shown hereon. [No framing inspection will be approved until a certification of the elevation of the lowest floor, as built, prepared by a Registered Land Surveyor or Professional Engineer, has been received by the Department of Planning

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and Development.] This approval is granted with the provision that no Certificate of Occupancy shall be issued for completion of construction until conformance to this Residential Drainage Plan has been field verified by the Department or has been verified by a foundation survey prepared for the builder by a Registered Land Surveyor.

Department of Planning and Development

Date

10.6 SITE DEVELOPMENT PLANS

10.6.1 An application for a development permit for a multi-family or nonresidential site shall consist of the Site Plan, a certified boundary survey or Final Plat reference, associated slope or construction easements (if any), and such other Development Plans as may be required by these Regulations.

10.6.2 The Development Plans shall generally conform to the Concept Plan, if any, and may constitute only that portion of the approved Concept Plan which the developer proposed to construct at one time as a single unit, provided that such portion conforms to the requirements of these rules and regulations and all setbacks, maximum density, and other zoning restrictions. If no Concept Plan was approved on the property, the Development Plans shall include the entire property being developed having the same zoning category.

10.6.3 Scale

The Development Plans shall be clearly and legibly drawn at an engineering scale convenient to illustrate the details of the project. Sheet size shall not exceed 48 inches by 36 inches. Plan and Profile sheets, if any, shall have a horizontal scale of no less than 100 feet to one inch and a vertical scale of no less than 10 feet to one inch.

10.6.4 Project Boundary Data

a. The Site Plan shall be based on the boundaries of a lot as recorded on a Final Subdivision Plat or on a certified boundary survey delineating the entirety of the property contained within the project, and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than 1 in 10,000, and shall meet all requirements of Georgia Law regarding the recording of maps and plats.

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- b. Each Site Plan shall be drawn on, accompanied by, or referenced to a boundary survey which shall at least meet the requirements of 10.6.4.a. above.

10.6.5 The Site Plan shall contain the following (on one or more sheets):

- a. Proposed name of development. If the project is located within a subdivision, the name of the subdivision, lot, and block number must also be shown.
- b. Name, address, and telephone number of the owner of record, and of the developer (if not the owner).
- c. Name, address, and telephone number of each professional firm associated with the Development Plans (engineer, landscape architect, etc.).
- d. Date of survey, north point, and graphic scale, source of datum, date of plan drawing, and space for revision dates.
- e. Proposed use of the site, including gross square footage for each different use type or building.
- f. Location (Land District and Land Lot), acreage or area in square feet, and density (if applicable).
- g. Location sketch locating the development in relation to the surrounding area with regard to well known landmarks such as major thoroughfares or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than one inch equal to 2,000 feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.
- h. Size and location of all buildings, building setback lines, minimum yard lines, and distances between buildings and from buildings to property lines; location of outdoor storage areas; parking and loading areas, driveways, curb cuts and designated fire lanes. Each building shall be identified with a number or letter.
- i. Boundary lines of the perimeter of the tract indicated by a heavy line giving lengths to the nearest one-hundredth of a foot and bearings to the nearest second. Bearing and distance to designated tie point.

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- j. Directional flow arrows for street drainage.
- k. Contour lines based on sea level datum. These shall be drawn at intervals of not more than two feet and shall include the entire site and all abutting public streets. Contour lines shall be based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic contour shown shall be specified and dated.
- l. Natural features within the proposed development, including drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses leaving the tract, the direction of flow shall be indicated. The 100-year floodplain shall be outlined and the source of the depicted floodplain information shall be indicated. The acreage or area in square feet within the floodplain shall be indicated.
- m. Man-made and cultural features existing within and adjacent to the proposed development including existing right-of-way measured from centerline, pavement widths, and names of jurisdiction lines; existing structures on the site and their disposition, Chattahoochee River Corridor information and Chattahoochee River Tributary Protection Areas (if applicable), and other significant information. Location and dimensions of existing bridges; water, sewer, and other existing utility lines and structures; culverts and other existing features should be indicated.
- n. Proposed street names, roadway and right-of-way lines and widths and sites reserved through covenants, easement, dedication or otherwise for public uses.
- o. Identify unit number, division or stage of development, if any, as proposed by the developer.
- p. Show all adjoining property owners, subdivision names, lot numbers, lot lines and block letters, and zoning.
- q. Show the location and number of parking spaces according to the size of the building on the plans. Show factors used in determining number of spaces as required in the Zoning Ordinance. Handicapped parking spaces must be shown as required by the

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Georgia Handicap law.

- r. Zoning district rezoning case number, date of approval and conditions as applicable). Variances obtained on the property should be shown with the case number, date of approval and conditions (if applicable). Note any approved Waivers from these Regulations.
- s. If buffers or other landscaping or screening treatments are required, show the location, size, and type (natural or planted) on the plans conforming to the Tree Preservation/Replacement Plan or Buffer and Landscape Plan, as applicable.
- t. Location, height, and size of all freestanding signs to be erected on the site, and indication whether lighted or unlighted.
- u. Location of all known existing landfills and proposed on-site bury pits (State EPD Permit and City of Suwanee Special Use Permit or other approval may be required).
- v. Such additional information as may be reasonably required to permit an adequate evaluation of the project.

10.6.6 Certificate of Development Plans Approval

Each Site Plan shall carry the following certificate printed or stamped thereon:

SITE PLAN DEVELOPMENT PLANS APPROVAL
ALL REQUIREMENTS OF THE DEVELOPMENT REGULATIONS RELATIVE TO THE PREPARATION AND SUBMISSION OF A DEVELOPMENT PERMIT APPLICATION HAVING BEEN FULFILLED, AND SAID APPLICATION AND ALL SUPPORTING PLANS AND DATE HAVING BEEN REVIEWED AND APPROVED BY ALL AFFECTED CITY AND COUNTY DEPARTMENTS AS REQUIRED UNDER THEIR RESPECTIVE AND APPLICABLE REGULATIONS. APPROVAL IS HEREBY GRANTED OF THIS SITE PLAN AND ALL OTHER DEVELOPMENT PLANS ASSOCIATED WITH THIS PROJECT SUBJECT TO ALL FURTHER PROVISIONS OF SAID DEVELOPMENT AND OTHER CITY AND COUNTY REGULATIONS.

BY: _____
DIRECTOR, CITY OF SUWANEE PLANNING DEPARTMENT DATE _____

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THIS CERTIFICATE EXPIRES TWELVE MONTHS FROM THE DATE OF APPROVAL UNLESS A DEVELOPMENT PERMIT IS ISSUED

10.6.7 The Site Plan shall be accompanied by other Development Plans showing the following information when same is not shown on, or evident from the Site Plan. The various plans may be combined where appropriate and clarity can be maintained.

- a. Erosion Control Plan prepared in accordance with the requirements of the Soil Erosion and Sediment Control Ordinance. Erosion control measures may be shown on the Grading Plan, if desired.
- b. Grading plan, prepared in accordance with the requirements of Article 8 of these Regulations.
- c. Storm Water Drainage Construction Data:
 - (1) Location and size of all proposed drainage improvements, and all proposed drainage easements to be located outside street right-of-way lines.
 - (2) Profiles of all storm drainage pipes and slope of receiving channels. Hydraulic grade line is to be shown on all pipes (except roof drains) for the required design flow. On storm drainage profiles a pipe chart will be shown which will include pipe numbers, pipe size, pipe material, pipe slope, pipe length, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity. On all pipes, the hydraulic grade line shall be shown. Profiles of all open channels and ditches including the design flow normal depth and velocity. On storm drainage profiles an open channel chart will be shown which will include open channel numbers, conveyance size, lining material, length, channel slope, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity for the required design flow.
 - (3) Acreage of drainage areas and Hydrological study used in determining size of structures, including map of all contributing drainage basins and acreages.
- d. Sewage Disposal Plans, as follows:

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- (1) Sanitary Sewer Plans, including the profiles and other information as may be required by Water Pollution Control.
 - (2) For projects proposed to be served by on-site sewage disposal systems, location and extent of septic tank, drain field and attendant structures, and other information required by the Health Department.
- e. Street Widening and Construction Data:
- (1) Centerline profiles and typical roadway sections of all proposed streets, as well as plans and profiles for all proposed major thoroughfares. Profiles (and plans, where required) shall be drawn on standard plan and profile sheet with plan section showing street layout, pavement and right-of-way width, curvature, and required drainage facilities. Typical roadway sections shall be provided for street widenings.
 - (2) Where sanitary or storm sewers are to be installed within a street, the grade, size, location and bedding class of pipe; location and invert elevation of manholes shall be indicated on the road profile.
 - (3) Profiles covering roadways that are extensions of existing roadways shall include; elevations at 50 foot intervals for such distance as may be adequate to provide continuity consistent with the standards required by these Regulations for street improvements, but no less than 200 feet.
 - (4) All elevations shall be coordinated and sited into U.S. Coast and Geodetic Survey or Department of Transportation bench marks where feasible or into reference monuments established by the Federal Emergency Management Agency.
- f. Buffer and Landscape Plan, if any such areas exist within the site, prepared in accordance with the specifications contained in this Article, and the requirements of Article 5 of these Regulations, and the requirements of the Buffer, Landscape, and Tree Ordinance.
- g. Tree Preservation/Replacement Plan (if required by the Buffer, Landscape, and Tree Ordinance).
- h. Floodplain Management Plans; if any floodplain areas are located on the property. Such data as is required by the Floodplain Management Ordinance shall be submitted.

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- i. Private Water System Plans, if any, indicating proposed water main size and location, with fire hydrants, on the site. The distance and direction to all other fire hydrants within 500 feet of the site or buildings along existing streets or other access drives shall also be indicated.
- j. Street striping plan, showing striping in accordance with the Manual on Uniform Traffic Control devices, for any street newly constructed to 4 or more lanes, and all newly constructed or widened major thoroughfares.

10.6.8 Encroachments

Where construction is proposed on adjacent property, an encroachment agreement or easement shall be submitted to the Department.

10.6.9. Public Notice – Drainage

Every Site Plan shall contain the following statement:

Note: City of Suwanee assumes no responsibility for overflow or erosion of natural or artificial drains beyond the extent of the street right-of-way, or for the extension of culverts beyond the point shown on the approved and recorded plan. City of Suwanee does not assume the responsibility for the maintenance of pipes in drainage easements beyond the City right-of-way.

10.7 TREE PRESERVATION/REPLACEMENT PLAN SPECIFICATIONS

10.7.1 A Tree Preservation/Replacement Plan shall be required only under the circumstances described in the Buffer, Landscape, and Tree Ordinance.

10.7.2.1 Tree Preservation/Replacement Plans shall be prepared in accordance with the specifications contained in the Buffer, Landscape, and Tree Ordinance. At the developer's option, the plan may be combined with other plans such as a general landscaping plan for the project.

10.8 BUFFER AND LANDSCAPE PLAN SPECIFICATIONS

10.8.1 A Buffer and Landscape Plan shall be required as described in the Buffer, Landscape, and Tree Ordinance.

10.8.2 The Buffer and Landscape Plans shall be prepared in accordance with the specifications contained in the Buffer, Landscape, and Tree Ordinance. At

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the developer's option, the plan may be combined with other plans such as a general landscaping plan for the project.

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**ARTICLE 11
PROCEDURES**

11.1 SUBDIVISION REVIEW PROCEDURES

11.1.1 Pre-Application Conference

Whenever any subdivision of a tract of land is proposed to be made, whether for residential or nonresidential development, the subdivider is encouraged to present to the Department preliminary documents and graphic exhibits to permit early evaluation of the subdivider's intentions and coordination with the Comprehensive Plan, Zoning Ordinance, Metropolitan River Protection Act, etc., and to inform and provide the subdivider with the necessary regulations in order to properly accomplish the proposed project.

11.1.2 Concept Plan Approval

- a. Application for Concept Plan approval shall be submitted to the City using an application form and in a number of copies to be determined by the Director. The Concept Plan shall include the entire property proposed for development, but need not include the applicant's entire contiguous ownership. The Concept Plan shall be reviewed and approved by all affected City and County Departments.
- b. In such case that the subdivider elects not to submit a Concept Plan, then the subdivider may proceed directly with the submittal of Development Plans if they show the entire property proposed for development. In so doing, however, the subdivider assumes the risk of premature design and engineering expenses in the event that the City requires subsequent design and engineering changes.
- c. Following Concept Plan approval, a clearing and grubbing permit may be issued based on a Tree Protection Plan (if required - see Tree Protection Ordinance) and soil erosion and sedimentation control plan approved by the Department, and consistent with an approved Certificate issued under the Metropolitan River Protection Act, if applicable.
- d. Copies of the approved Concept Plan shall be provided to the Department for permanent record, in a number as determined by the Director.

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11.1.3 Development Plans Approval for Subdivisions

- a. An application for Development Plans approval and issuance of a development permit shall be submitted to the Department using an application form and in a number of copies as determined by the Director. The Development Plans may encompass a portion of a property included within an approved Concept Plan. However, if no Concept Plan has been approved, the Development Plans must include the entire property being developed and having the same zoning. The application shall include the Preliminary Plat, and construction drawings. All construction drawings and other engineering data shall be prepared and sealed by a Professional Engineer or Landscape Architect currently registered in the State of Georgia, in accordance with provisions of Georgia Law.
- b. Following submission to the City of a Preliminary Plat and all drawings required for development permit review, a grading permit may be issued at the developer's request based on a soil erosion and sedimentation control plan, hydrology study, and related construction drawings, and consistent with an approved Certificate issued under the Metropolitan River Protection Act. The grading permit shall be limited to the area included within the Development Plans and may be further conditioned as deemed appropriate or necessary pending development permit approval.
- c. The Director shall indicate on a review copy of the drawings or in a written memorandum all comments related to compliance of the Development Plans with these Regulations, principles of good design, the Zoning Ordinance, conditions of zoning approval, and the regulations of other City departments, County departments and State agencies as appropriate. The Director shall have final staff authority to determine the applicability of any and all comments under these Development Regulations, the Zoning Ordinance or conditions of zoning approval.
- d. The Director may not approve any Preliminary Plat whereon is shown a lot which would present particularly unusual difficulties for construction of a building, which would clearly require a variance to be reasonably usable, or which is otherwise "unbuildable" because of its unusability, whether due to the presence of floodplain, unusual configuration, lack of public utilities or for any other reason. A House

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Location Plan (HLP) may be required to be filed as a part of the Preliminary Plat approval to substantiate the buildability of any such difficult or unusual lot.

- e. The subdivider shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the noted and written comments of the Director.
- f. Should an applicant disagree with the findings or final review comments of the Director or of any other City or County department, concluding that factual or interpretive errors have been made, the following appeal procedure shall be followed to resolve the issues.
 - (1) Submit to the Department of Planning and Development a written statement clearly defining the nature of the disagreement, the specific reference to the sections of the regulations (i.e., Sewer Regulations, Development Regulations, etc.) at issue, and the applicant's own opinion.
 - (2) Should the department under appeal fail to respond within 10 working days from the date of transmittal of the appeal by the Department of Planning and Development, the Department shall automatically forward a copy of the appeal to the City Council for final action in their normal course of business.
- g. When City staff have determined that the plat and other Development Plans are in compliance with all applicable City or County regulations and zoning requirements and approval has been received from all affected City and County Departments, the Director, or designee shall sign and date a CERTIFICATE OF DEVELOPMENT PLANS APPROVAL stamped or printed on a reproducible copy of the plat. Approved copies of the approved plat and Development Plans shall be transmitted to the applicant and retained by the Department for its records. Following the above approval by all affected City or County Departments, a Development Permit may be issued at the developer's request to being construction activities based on the approved Development Plans.

11.1.4 Final Plat Approval

- a. When the provisions of these Regulations have been complied with, the subdivider may submit to the Department an application for Final Plat approval, using an application form and in a number of copies

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as determined by the Director.

- b. The Director shall indicate on a review copy of the plat or in a written memorandum all comments related to compliance of the Final Plat with these Regulations, the Zoning Ordinance, conditions of zoning approval, and the regulations of other City or County departments and State agencies as appropriate. The Director shall have final staff authority to determine the applicability of any and all comments under these Development Regulations, the Zoning Ordinance or conditions of zoning approval.
- c. The Director may not approve any Final Plat whereon is shown or by which is otherwise created a lot which would present particularly severe and unusual difficulties for construction of a building, which would clearly require a variance to be reasonably usable, or which is otherwise "unbuildable" due to the presence of floodplain, unusual configuration, lack of Health Department approval, or for any other justified reason.
- d. Lots which would appear to be buildable under certain circumstances and would require further study or additional information before a building permit could be issued, but which present problems or unusual difficulties which can reasonably be addressed or overcome by the lot owner, may be included in the Plat with the appropriate notation of the steps necessary to allow issuance of a building permit (see section 5.9, Lots, of the General Design Standards).
- e. The subdivider shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the comments of the Director.
- f. Final approval by the Director shall not be shown on the Final Plat until all requirements of these and other applicable regulations have been met, and the Director has received a completed request for Approval of Development Conformance and an executed Development Performance and Maintenance Agreement. The Agreement shall be accompanied by a bond, letter of credit or other acceptable surety providing for the maintenance of all installations and improvements required by these Regulations in the subdivision for a period not to exceed 12 months following the date of Approval of Development Conformance for subdivisions for which the final

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topping of a "two-pass" street has not been applied or for a period not to exceed 18 months. The Maintenance Bond period of application may be extended by the Director at the request of the Developer, provided it is in the best interest of the health, safety and welfare of the public.

- g. The Director shall further determine that either:
- (1) All improvements and installation to the subdivision required for approval of the Final Plat under the rules and regulations of City of Suwanee have been completed in accordance with the appropriate specifications; or
 - (2) All of the storm water drainage and detention facilities, water and sewer utilities, street base and curbing construction required for approval of the Final Plat have been properly installed and completed and, for those required improvements not yet completed (grassing, pavement topping, required landscaping, sidewalks, etc.) a performance bond shall have been filed by the subdivider with the Development Performance and Maintenance Agreement, which performance bond shall:
 - (a) Be conditioned upon the faithful performance by the subdivider or developer of all work required to complete all improvements and installations for the subdivision, or approved portion thereof, in compliance with these rules and regulations within a specified time, not to exceed three months;
 - (b) Be payable to, and for the indemnification of, the City;
 - (c) Be in an amount equal to the cost of construction of the required improvements not yet completed plus an additional ten (10) percent of said costs, as calculated by the Director on the basis of yearly contract prices or City contracts, where available;
 - (d) Be with surety by a company entered and licensed to do business in the State of Georgia; and,
 - (e) Be in a form acceptable to the Director or the City Attorney.
- h. Payment for materials and installation of traffic control and street name signs shall be made to the Department of Engineering in accordance with the traffic engineering regulations prior to approval of the Final Plat. Payment of the cost of striping major thoroughfares

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or required signalization if required and not completed by the developer shall also be received by the Engineering Department prior to approval of the Final Plat.

- i. Payment of the required plat recording fee shall be made to the Department prior to approval of the Final Plat.
- j. Once City staff have approved the Final Plat and all other affected departments and agencies of government as required have certified compliance and signed the route sheet, the Mayor shall certify by his signature on the original of the plat that all of the requirements of these Regulations, the Zoning Ordinance, and the conditions of zoning approval have been met, and that all other affected departments have approved the plat. The Final Plat shall not be deemed approved until it has been signed by the Mayor and where use of septic tanks is proposed, by the duly authorized representative of the Health Department.
- k. Once the Final Plat has been so certified, the Director shall authorize it to be recorded with the Clerk of the Superior Court of Gwinnett County. The subdivider shall provide the Department with an appropriate number of copies of the recorded plat, as determined by the Director. Deeds to lands dedicated to City of Suwanee in fee simple, or to Property Owner Associations for park or recreational use, shall be recorded simultaneously with the Final Plat.

11.2 NON-SUBDIVISION REVIEW PROCEDURES

11.2.1 Pre-Application Conference

Whenever any development of a single parcel of land (other than a subdivision or a one or two-family dwelling) is proposed to be made, the developer is encouraged to present to the Department preliminary documents and graphic exhibits to permit early evaluation of the developer's intentions and coordination with the Comprehensive Plan, Zoning Ordinance, Metropolitan River Protection Act, etc., and to inform and provide the developer with the necessary regulations in order to properly accomplish the proposed project.

11.2.3 Site Development Plans Approval

- a. An application for Development Plan approval and issuance of a

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development permit shall be submitted to the Department using an application form and in a number of copies as determined by the Director. The Development Plans may encompass a portion of a property included within an approved Concept Plan. However, if no Concept Plan has been approved, the Development Plans must include the entire property being developed and having similar zoning. As required under Section 10.6 of these Regulations, the application shall include the Site Plan and construction drawings, as appropriate to the project. All construction drawings and other engineering data shall be prepared and sealed by a Professional Engineer or Landscape Architect currently registered in the State of Georgia, in accordance with the provisions of Georgia Law.

- b. The Director shall indicate on a review copy of the drawings or in a written memorandum all comments related to compliance of the Development Plans with these Regulations, principles of good design, the Zoning Ordinance, conditions of zoning approval, and the regulations of other City or County departments and State agencies as appropriate. The Director shall have final staff authority to determine the applicability of any and all comments under these Development Regulations, the Zoning Ordinance or conditions of zoning approval.
- c. The developer shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the noted and written comments of the Director.
- d. Deeds to lands dedicated to City of Suwanee in fee simple, shall be submitted to the Director for recording.
- e. Should an applicant disagree with the findings or final review comments of the Director or of any other City or County department, concluding that factual or interpretive errors have been made, the following appeal procedure shall be followed to resolve the issues:
 - (1) Submit to the Department of Planning and Development a written statement clearly defining the nature of the disagreement, the specific reference to the sections of the regulations (i.e., Sewer Regulations, Development Regulations, etc.) at issue, and the applicant's own opinion.
 - (2) Should the department under appeal fail to respond within 10 working days from the date of transmittal of the appeal by the

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Department of Planning and Development, the Department shall automatically forward a copy of the appeal to the City Council for final action in their normal course of business.

- f. Once City staff have determined that the Site Plan and other Development Plans are in compliance with all applicable City and County Regulations and zoning requirements, and approval has been received from all affected City and County Departments, the Director, or designee shall sign and date a CERTIFICATE OF DEVELOPMENT PLANS APPROVAL a reproducible copy of the plan. Approved copies of the approved Development Plans shall be transmitted to the applicant and retained by the City for its records.
- g. Following the above approval by all affected City or County Departments, and approval of a Metropolitan River Protection Act Certificate, if applicable, a development permit shall be issued at the developer's request to begin construction activities based on the approved Development Plans. Said permit may include clearing, grubbing, and grading as appropriate and approved as part of the project. A building permit may also be issued on the basis of the approved development permit under the provisions contained in Article 4. A Certificate of Occupancy may not be issued, however, until a Certificate of Development Conformance for the project has been executed by the Owner and an executed Development Performance and Maintenance Agreement has been received in accordance with these Regulations.

11.2.4 Certificate of Development Conformance Approval Process

- a. Final approval by the Director shall not be shown on the Certificate of Development Conformance until all requirements of these and other applicable regulations have been met, and the Director has received a completed request for Approval of Development Conformance and an executed Development Performance and Maintenance Agreement. The Agreement shall be accompanied by a bond, letter of credit or other acceptable surety providing for the maintenance of all installation and Public improvements required by these Regulations in the development for a period not to exceed 12 months following the date of Approval of Development Conformance for developments for which the final topping of a "two-pass" street has not been applied or for a period not to exceed 18 months. The Maintenance Bond period of application may be extended by the

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Director at the request of the Developer, provided it is in the best interest of the health, safety and welfare of the public.

- b. The Director shall further determine that either:
 - (1) All Public improvements and installations to the development required to be dedicated and for approval of the Certificate of Development Conformance under the rules and regulations of City of Suwanee have been completed in accordance with the appropriate specifications; or;
 - (2) All of the storm water drainage and detention facilities, water and sewer utilities, street base and curbing construction required for approval of the Certificate of Development Conformance have been properly installed and completed and, for those required Public improvements not yet completed, within areas to be dedicated, (grassing, pavement topping, required landscaping, sidewalks, etc.) a performance bond shall have been filed by the developer with the Development Performance and Maintenance Agreement, which performance bond shall:
 - (a) Be conditioned upon the faithful performance by the developer of all work required to complete all Public improvements and installation required to be dedicated for the development, or approved portion thereof, in compliance with these rules and regulations within a specified time, not to exceed three months;
 - (b) Be payable to, and for the indemnification of, the City;
 - (c) Be in an amount equal to the cost of construction of the required Public improvements required to be dedicated not yet completed plus an additional ten (10) percent of said costs, as calculated by the Director on the basis of yearly contract prices or City contracts, where available;
 - (d) Be with surety by a company entered and licensed to do business in the State of Georgia; and,
 - (e) Be in a form acceptable to the Director or the City Attorney.

- c. Payment for materials and installation of traffic control shall be made to the Planning Department in accordance with the traffic engineering regulations prior to approval of the Certificate of Development Conformance. Payment of the cost of striping major

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thoroughfares or required signalization if required and not completed by the developer shall also be received by the Engineering Department prior to approval of the Certificate of Development Conformance.

- d. Payment of the required plat recording fee shall be made to the Department prior to approval of the Final Plat.
- e. Once the Department has approved the Certificate of Development Conformance and all other affected departments and agencies of government as required have certified compliance and signed the route sheet, the Director shall certify by his signature on the original of the Certificate of Development Conformance that all of the requirements of these Regulations, the Zoning Ordinance, and the conditions of zoning approval have been met, and that all other affected departments have approved the plat. The Certificate of Development Conformance shall not be deemed approved until it has been signed by the Director and where use of septic tanks is proposed, by a duly authorized representative of the Health Department.

11.3 ASSIGNMENT OF NAMES AND ADDRESS

11.3.1 Subdivision or Development Names

- a. Proposed subdivision or development names must be reviewed and approved prior to the issuance of a development permit. Names will be reviewed by the Gwinnett County Development Department upon submittal of the Preliminary Plat or Site Plan
- b. Proposed names shall not duplicate or too closely approximate, phonetically, the name of any other subdivision or development in Gwinnett County or its municipalities except for extensions of existing subdivisions or developments.
- c. Subdivision and development names may be reserved if submitted and approved along with the Concept Plan for the project.

11.3.2 Street Names

- a. Proposed street names must be reviewed and approved prior to approval of a Final Plat for recording. Street names may be

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reserved through approval as shown on an approved Concept Plan or Preliminary Plat for the subdivision. Proposed names for private streets shall follow the same rules as for public streets.

- b. Street names shall consist of a root name of the developer's choosing and a suffix designation (such as "Street", "Avenue", "Drive", etc.), and shall be followed by a quadrant suffix. Directional prefixes (i.e., "North", "South") and the prefixes "old" or "new" shall not be used.
- c. All streets shall bear the proper quadrant suffix appropriate to its location within the County (i.e. NE, NW, SE and SW), as determined by the Department.
- d. A proposed street that is obviously in alignment with another already existing and named street shall bear the name of such existing street, unless this requirement is waived by the Departments of Public Safety and Engineering.
- e. Except within the same development, no proposed street name shall duplicate (be spelled the same or be phonetically the same) as an existing street name within City of Suwanee regardless of the use of such suffix designations as "Street", "Avenue", "Boulevard", "Drive", "Place", "Way", "Court", or however otherwise designated. In the same subdivision, a root name may not occur more than twice.
- f. All street root names and suffix designations are subject to the approval of the Department. Obscene or otherwise unacceptable language, abbreviations, contractions, or initials may not be used.
- g. Root names shall consist of no more than 13 characters including space, hyphens, etc. Letters not occurring in the English alphabet, and numerals, shall not be used.

11.3.3 Street Address Assignments

- a. A street address number must be assigned prior to issuance of a building permit. For any new structure proposed on a property which has not been assigned an address, a street number will be assigned upon confirmation or establishment of the property as a buildable lot of record under the requirements of these Regulations.

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b. Subdivisions

House numbers will be assigned after an Exemption Plat or Preliminary Plat is approved for the property. Submit two copies of the approved plat to the Gwinnett County Planning Department. Block number assignments shall also be designated for abutting major street name signs at this time.

c. Commercial/Industrial Projects or Buildings

Projects will be numbered after the developer submits the Site Plan for development review.

d. Apartment Projects

Projects will be numbered after the developer submits copies of the Site Plan for development review. The overall development will be issued a single street address. The developer will be responsible for numbering/lettering individual buildings and units.

e. Condominium Projects

Projects will be numbered after the developer submits the Site Plan for development review. Individual units shall be numbered consecutively if located along public or private streets. Units in the "stacked-flat" configuration shall use the same numbering approach as applies to an apartment project.

f. The following numbering systems shall be followed per postal regulations:

- (1) Individual mailbox for each dwelling units: Each street in the project must be named.
- (2) Cluster box system - Centralized mailbox for entire project: One street name will serve to assign all house numbers for main delivery.

11.4 INITIATION OF DEVELOPMENT ACTIVITIES

11.4.1 Initial Activities Required

Following the issuance of any permit authorizing clearing and grading of a

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site:

- a. Required erosion control measures must be installed where practical by the developer and inspected and approved by the Department prior to actual grading or removal of vegetation. All control measures shall be in place as soon after the commencement of activities as possible and in coordination with the progress of the project.
- b. Soil sedimentation facilities must be installed and operational prior to major grading operations.
- c. Areas required to be undisturbed by the Zoning Ordinance, conditions of zoning approval, Metropolitan River Protection Act or other ordinance or regulation shall be designated by survey stakes, flags, or other appropriate markings and shall be inspected and approved by the Department of Development prior to the commencement of any clearing or grading activities.

11.4.2 Tree Protection Areas

Prior to the initiation of land disturbance activities and throughout the clearing and grading process the following must be accomplished for an designated tree protection area in accordance with any approved Buffer and Landscape Plan or Tree Preservation/Replacement Plan for the property:

- a. For those trees which are not to be removed, all protective fencing, staking, and any tree protection area signs shall be in place. These barriers must be maintained throughout the land disturbance process and should not be removed until landscaping is begun.
- b. The tree protection areas shall not be utilized for storage of earth and other materials resulting from or used during the development process.
- c. Construction site activities such as parking, materials storage, concrete washout, burning, etc. shall be arranged to prevent disturbances within the tree protection areas.

11.4.3 Development Inspections

Oral notification shall be made by the developer or contractor to the

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Development Inspections Section of the Department at least 24 hours prior to commencement of activity for each of the following phases as authorized by any permit for site work or development. Inspections shall be made by the Department and passed prior to continuation of further activity or proceeding into new phases.

- a. Clearing or clearing and grubbing of the site or any portion included under the permit.
- b. Grading. Installation of slope stakes shall be required. Upon completion of roadway grading, the Water Certificate shall be submitted to the Department certifying that the centerline of the road and the offset centerline of the water line is within 6" of that shown on the approved plans or re-lined plan submittal. Inspection and approval shall be required prior to trenching or continuation with sub-base preparation.
- c. Installation of storm drainage pipe, detention, or other storm water facilities.
- d. Installation of sanitary sewer and appurtenances. This notification shall be made simultaneously with official notification by the developer or contractor to the Water Pollution Control Division, and if for informational purposes only to the Department.
- e. Curbing of roadways. Inspection should be requested before the forms have been set (if used). Roadway width will be spot checked by string line between curb stakes.
- f. Sub-base or subgrade of streets. After compaction, the subgrade will be string-lined for depth and crown. The subgrade shall be roll tested and shall pass with no movement, to the satisfaction of the Department.
- g. Street base. The base will be string-lined for depth and crown, and shall pass a roll test with no movement to the satisfaction of the Department.
- h. Paving. A Department inspector shall be on site during the paving process to check consistency, depth, and workmanship, as applicable. For asphalt paving, the temperature of the material will be spot-checked, and the roadways will be cored after completion to

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check thickness.

11.4.4 Responsibility for Quality and Design

The completion of inspections by City of Suwanee officials or employees and authorization for work continuation shall not transfer responsibility for the quality of the work performed or materials used from the contractor or developer, nor imply or transfer acceptance of responsibility for project design or engineering from the professional corporation or individual under whose hand or supervision the plans were prepared.

11.4.5 Stop Work Orders

Work which is not authorized by an approved permit, or which is not in conformance to the approved plans for the project, or which is not in compliance with the provisions of these Regulations or any other adopted code, regulation or ordinance of City of Suwanee, shall be subject to immediate Stop Work Order by the Department. Work which proceeds without having received the necessary inspections of the Department shall be halted until all inspections of intervening work is completed.

11.4.6 Stabilization for Erosion Control

If for any reason a clearing and grubbing, grading, or development permit expires after land disturbance activities have commenced, the developer shall be responsible for stabilizing the site for erosion control, under the direction of the Department.

11.5 APPROVAL OF DEVELOPMENT CONFORMANCE

11.5.1 Prerequisite to Final Plat or Certificate of Occupancy

This approval shall be a prerequisite to the approval of a Final Plat or issuance of a Certificate of Occupancy for any part of a project or issuance of a Certificate of Occupancy for any part of a project included in a development permit, except for single-family and two-family residential structures. The approval shall reflect the owner's certification that all site work and construction has been accomplished according to the terms of approved plans and permits, and that all facilities intended for maintenance, supervision and/or dedication to the public are in compliance with appropriate standards, regulations, codes and ordinances. Such approval shall be revoked in cases of fraud or whenever unauthorized changes are

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made to the site without the benefit of required permits.

11.5.2 Submission Requirements

Upon completion of the project as authorized for construction by the development permit, the owner shall file a Certificate of Development Conformance with the Director along with record drawings of all storm water detention facilities and modifications to the limits of the 100-year floodplain (if any). An "as-built" hydrology study for the project with the actual parameters from the record drawing of the detention facilities. A record drawing of the sanitary sewer facilities shall also be prepared, separately or included with the above, and submitted to the Public Utilities Department in accordance with their regulations. The Certificate of Development Conformance shall be in a form as required by the Director (see Appendix B) and shall be accompanied by a Development Performance and Maintenance Agreement completed in draft form. If the owner is a corporation, the documents shall be signed by the President or Vice President, be affixed by the corporate seal, and either the corporate secretary shall attest to the signature and affix the corporate seal, or a Certificate of Corporate Resolution shall also be submitted.

11.5.3 Approval

Following final inspection and approval of all record drawings, the Director shall approve the Certificate of Development Conformance.

11.6 PROJECT CLOSEOUT AND CONTINUING MAINTENANCE

11.6.1 Development Performance and Maintenance Agreement

Based on the approved Certificate of Development Conformance, the owner shall file a final Development Performance and Maintenance Agreement with the Director, along with any required Certificate of Corporate Resolution and performance or maintenance surety, as a prerequisite to the approval of a Final Plat or issuance of a Certificate of Occupancy for any part of a project included in the development permit, except for single-family and two-family residential structures. The Development Performance and Maintenance Agreement shall be in a form as required by the Director, and shall include the following:

- a. Final required improvements yet to be completed (e.g., grassing, topping, sidewalks, required landscaping) and performance bonding.

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Final landscaping shall be provided in accordance with a schedule acceptable to the Department. The developer may be allowed up to three months in which to finish the other designated improvements, after the date of approval of the Certificate of Development Conformance.

- b. Maintenance of the public streets and drainage facilities within public streets or easements for the bonding period after the date of approval of the Certificate of Development Conformance. Repairs shall be made for any deficiencies identified within the bonding period or the bonds shall be called to complete same.
- c. Indemnification of the City against all liability for damages arising as a result of errors or omissions in the design or construction of the development for a period of ten years. If liability is subsequently assigned or transferred to a successor in title or other person, a copy of such legal instrument shall be filed with the Clerk to Superior Court.

11.6.2 Maintenance and Performance Surety

- a. The maintenance surety and the performance surety, required from the owner/developer or the contractor employed by the owner/developer, may be in the form of cash deposited with the City, or a bond, letter of escrow or letter of credit from a bank or other financial institution in a form acceptable to the Director or City Attorney.
- b. Performance surety and Maintenance surety shall, in all cases, be provided in an amount as provided in Sections 11.1.4 or 11.2.4 as applicable. The Maintenance Bond period of application shall not be less than 18 months from installation of the wearing course or final topping for a one-pass street and not less than 12 months from the installation of the binder for a two-pass street and which time shall be extended equal to any extension of time for the Performance Bond granted by the Director but not to exceed 24 months. The Performance Bond period of application shall not exceed 3 months unless an extension of an additional 3 calendar months has been granted by the Director. All cost estimates shall be as prepared by or acceptable to the Department.
- c. A Maintenance Bond for the sanitary sewer facilities is required

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separately by the Water Pollution Control Division in accordance with their regulations. For the water system improvements, the contractor employed by the developer shall be responsible for maintenance of all water mains and appurtenances for one year from the date of approval of the Certificate of Development Conformance by correcting all defects or deficiencies in materials or workmanship.

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**ARTICLE 12
FEES**

- 12.1 Application filing and permit fees shall be as may be established from time-to-time by the City Council.
- 12.2 Permit fees, if any, shall be submitted as a prerequisite to issuance of the permit. Non-payment as a result of submission of a check having insufficient funds on account, or for any other reason, shall cause the permit to be voided and reissuance subject to penalty as may be established by the City Council.
- 12.3 Application fees, if any, shall be submitted with the application and upon acceptance of said submission for review and consideration shall not be refundable. Failure to pay a required application fee shall cause the application to be returned to the applicant without acceptance for review or consideration by the City.
- 12.4 Following the approval of development plans, and prior to authorization to begin construction, the developer shall pay into the Treasury of Gwinnett County such required inspection, sanitary sewer permit charges, curb cut, or other fees as may be established from time-to-time by the Board of Commissioners. Such fees shall not be refundable following issuance of a Development Permit, except upon approval of the Board of Commissioners.
- 12.5 Prior to Approval of Development Conformance for a project, the developer shall provide to the Department of Engineering such fees for traffic control signs, street name signs, and street striping as shall be required by Traffic Engineering Regulations and established from time-to-time by the City Council.
- 12.6 Prior to approval of a Final Plat or Certificate of Occupancy, the developer shall provide to the Department of Development such recording fees and performance and/or maintenance bonds as shall be required by these Regulations or established from time-to-time by the City Council.

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**ARTICLE 13
ADMINISTRATION, APPEAL, AND VIOLATIONS**

13.1 ADMINISTRATION

13.1.1 These Development Regulations shall be administered, interpreted, and enforced by the Director of the Department of Planning and Development of City of Suwanee, Georgia. All other ordinances or regulations referenced herein, such as the fire prevention and life safety codes, building and other technical codes, health, water, and sewer regulations, shall be administered by the directors of the departments responsible for such regulations, as established by the City Council.

13.1.2 In any case in which activities are undertaken in violation of these Regulations, not in compliance with the provisions of a permit issued under the authorization of these Regulations, or without authorization of a permit which would otherwise be required, the Director is hereby authorized to suspend or invalidate such permits, order that all unauthorized or improper work be stopped, direct correction of deficiencies, issue summonses to any court of competent jurisdiction, or take any other legal or administrative action appropriate to the severity of the violation and degree of threat to the public health, safety, and welfare.

13.2 REGULATIONS TO BE PUBLISHED

It shall be the duty and responsibility of the Director of the Department of Planning and Development to maintain an accurate and up-to-date compilation of these Development Regulations and all amendments and pertinent attachments thereto, and to publish said compilation and make it available to the public at a cost as established by the City Council.

13.3 MODIFICATIONS

Modification of the design standards set forth in these Development Regulations may be authorized by the Director in specific cases when, in his opinion, undue hardship may result from strict compliance; provided any such determination shall be based fundamentally on the fact that unusual topographical or other exceptional conditions require such modification, or that the granting of the modification will not adversely affect the general public welfare or nullify the intent of these Regulations. Any such modification granted by the Director shall be made in writing to the

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developer and also made a part of the Department's records. Application for any modifications shall be filed in writing on a form provided by the Department with necessary supporting documents with the Director by the developer and shall explain in detail the reasons and facts supporting the application.

13.4 APPEAL AND WAIVER OF REGULATIONS

13.4.1 Appeals

Appeals of the interpretation by the City of the requirements of these Regulations shall be submitted in writing to the Planning Commission who shall review the request. The Planning Commission shall have the authority to approve or deny the request, with or without conditions. Should an applicant or other party for said appeal disagree with the action taken by the Planning Commission, they may appeal the decision reached to the Mayor and Council.

13.4.2 Waivers

Waiver requests of the requirements of these Regulations shall be submitted on an application form as available from the City along with such fees as shall be established by the Mayor and Council from time-to-time. The Planning Commission shall have the authority to approve or deny the request with or without conditions. Should an applicant or other party for said waiver disagree with the action taken by the Planning Commission, they may appeal the decision reached to the Mayor and Council.

13.5 VIOLATIONS, ENFORCEMENT AND PENALTIES.

Any action or inaction that violates the provisions of this ordinance or the requirements of an approved plan or permit shall be subject to the enforcement actions or penalties outlined herein. Any such action or inaction that is continuous with respect to time is deemed to be a public nuisance and also may be abated by injunctive or other equitable relief. The imposition of any of the enforcement actions or penalties described herein shall not prevent such equitable relief.

13.5.1. Enforcement Procedures.

The following are the enforcement procedures authorized by this ordinance:

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a. Notices of Violation.

Enforcement shall begin with the issuance of a written Notice of Violation to the owner or responsible person by the director. The notice may be delivered personally or sent by first class mail. The Notice of Violation shall contain at least the following information:

- (1) The name and address of the owner or responsible person;
- (2) The location or address of the site upon which the violation is occurring;
- (3) A description of the nature of the violation;
- (4) A description of the remedial actions or measures necessary to bring an action or inaction into compliance with a permit, approved plan or this ordinance;
- (5) The deadline or completion date of any such remedial actions or measures;
- (6) A statement of the penalty or penalties that may be assessed against the owner or responsible person to whom the Notice of Violation is directed.

In the event the owner or responsible person fails to correct the violations after the deadline contained in the Notice of Violation, the director is authorized to take or impose any one or more of the additional actions contained herein.

b. Stop Work Orders.

The director is authorized to issue Stop Work Orders to an owner or responsible person. Stop Work Orders are effective immediately and shall remain in effect until the necessary corrective actions or remedial measures as set forth in the Notice of Violation have occurred. Stop Work Orders may be withdrawn or modified by the director in order to enable an owner or responsible person to take the necessary remedial actions or measures to correct the violations.

c. Refusal to Issue Certificates of Occupancy or Completion.

The director is authorized to refuse to issue Certificates of Occupancy or Completion for the building or other improvements constructed or being constructed on a site until the owner or responsible person has taken the remedial actions or measures as set forth in the Notice of Violation or has otherwise corrected the violations described therein.

d. Suspension, Revocation, or Modification of Permit.

The director is authorized to suspend, revoke or modify a permit that

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was issued authorizing land disturbing activities or development. The director is authorized to reinstate a suspended, revoked or modified permit after the owner or responsible person has taken the remedial actions or measures stated in the Notice of Violation or has otherwise corrected the violations described therein. The director is also authorized to reinstate such permit, which may include conditions as the director may deem necessary, to enable the owner or responsible person to take the necessary remedial actions or measures to correct the violations.

e. Refusal to Approve Final Subdivision Plats.

The director is authorized to refuse to approve Final Plats until the owner or responsible person has taken the remedial actions or measures set forth in the Notice of Violation or has otherwise corrected the violations described therein.

f. Issuance of Citations or Summons to Court.

The director is authorized to issue a citation or summons to the owner or responsible person requiring such person to appear in a court of competent jurisdiction to answer charges for violations of this ordinance.

13.5.2. Legal Penalties and/or Remedies.

a. Fine and/or Sentence.

Any person convicted by a court of competent jurisdiction of violating any provision of this ordinance shall be guilty of violating a duly adopted ordinance of the county and shall be punished either by a fine not less than \$100 per day and not greater than \$1,000 per day, or by a sentence of imprisonment not to exceed 60 days in jail, or both a fine and jail or work alternate. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

b. Other Legal Remedies.

In any case in which a violation of this ordinance has occurred, the county, in addition to other remedies provided by law, may petition for a restraining order, injunction, abatement, or take any other appropriate legal action or proceeding through a court of competent jurisdiction to prevent, restrain, or abate such unlawful use or activity.

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**ARTICLE 14
ADOPTION AND AMENDMENT**

- 14.1 EFFECTIVE DATE
- 14.1.1 These Regulations shall be in full force and effect on following the adoption by the Mayor and Council and shall apply to any land disturbance Permit for which an application is received after the effective date of these Regulations.
- 14.1.2 Any subdivision or other project for which a valid and complete application for a Development Permit shall have been received prior to the effective date of these Regulations shall be considered "grandfathered" and, at the developer's option, may proceed to completion and building permits may be issued under the Subdivision Regulations of City of Suwanee in place prior to the effective date of these Regulations, provided that the Development Permit is or can be issued within 90 calendar days of said effective date and all time frames associated with said permit are observed.
- 14.1.3 Any subdivision or other project for which a Development Permit has been issued prior to the effective date of these Regulations shall be considered "grandfathered" and, at the developer's option, may proceed to completion and building permits may be issued under the terms of said permit and the Subdivision Regulations of City of Suwanee in place prior to said effective date.
- 14.1.4 Any subdivision or other project for which only a Clearing, Clearing and Grubbing, or Grading Permit shall have been issued prior to effective date of these Regulations shall be brought into conformance with these Regulations prior to issuance of a Development Permit. Administrative modifications in accordance with Article 13 shall be granted as necessary and appropriate where full compliance is not feasible or cannot reasonably be achieved because of the stage of development, limitations imposed by the site, or design parameters.
- 14.1.5 Nothing in these Regulations shall be construed to affect the validity of any building permit lawfully issued prior to the effective date of these Regulations.
- 14.2 AMENDMENTS

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- 14.2.1 These Regulations may be amended from time-to-time by resolution of the City Council of the City of Suwanee. Such amendments shall be effective as of their date of adoption unless otherwise stated in the adopting resolution.
- 14.2.2 Any subdivision or other project for which a valid and complete application for a Development Permit shall have been received prior to the adoption of an amendment to these Regulations may, at the developer's option, proceed to completion and building permits may be issued as though no amendment had been approved, provided that the Development Permit is or can be issued within 90 calendar days of said amendment and all time frames associated with said permit are observed.
- 14.2.3 Any subdivision or other project for which a Development Permit has been issued prior to the adoption of an amendment to these Regulations may, at the developer's option, proceed to completion and building permits may be issued as though no amendment had been approved.
- 14.2.4 Any subdivision or other project for which only a Clearing, Clearing and Grubbing, or Grading Permit shall have been issued prior to adoption of an amendment to these Regulations shall be brought into conformance with the amendment (if applicable) prior to issuance of a Development Permit. Administrative modifications in accordance with Article 13 shall be granted as necessary and appropriate where full compliance is not feasible or cannot reasonably be achieved because of the stage of development, limitations imposed by the site, or design parameters.
- 14.2.5 No amendment to these Regulations shall be construed to affect the validity of any building permit lawfully issued prior to the adoption of said amendment.
- 14.3 SEVERABILITY
- If any section, subsection, sentence, clause, or phrase of these Regulations is for any reason held to be unconstitutional or void, the validity of the remaining portions of these Regulations shall not be affected thereby, it being the intent of the City Council of City of Suwanee in adopting these Regulations that no portion thereof or provision of the Regulations contained herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase, or provisions of these Regulations.

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14.4 CONFLICTING REGULATIONS

All regulations or parts of regulations of the Code of Laws of City of Suwanee, Georgia, in conflict with these Regulations shall be and the same are hereby repealed in their portions so in conflict. Provided, however, that it is not the intent of these Regulations to repeal or affect any Law of the State of Georgia, or any Code or Ordinance of City of Suwanee adopted as a requirement of a State Law, in which case the most restrictive requirement shall control.