

City of Suwanee Development Regulations

**ARTICLE 1
AUTHORITY, TITLE, PURPOSE AND INTENT**

1.1 AUTHORITY AND TITLE

1.1.1 These rules and regulations are adopted under the authority of the Constitution of the State of Georgia and laws enacted pursuant thereto.

1.1.2 These regulations shall be known as "The Development Regulations of City of Suwanee, Georgia," and may be referred to generally as "The Development Regulations," or, as used herein, "these Regulations."

1.2 PURPOSE

1.2.1 These regulations are intended to serve the following purposes:

- a. To protect and promote the public health, safety, and general welfare.
- b. To provide a system for the subdividing of lands and the accurate recording of land titles.
- c. To provide assurance that lots shown on recorded subdivision plats are usable by the purchasers for their intended and permitted functions.
- d. To encourage economically sound and orderly land development in accordance with the policies and objectives of the Comprehensive Plan of City of Suwanee.
- e. To assure the provision of required streets, utilities, and other facilities and services to new land developments in conformance with public improvement policies of the City.
- f. To assure adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in new land developments.
- g. To assure the provision of needed open spaces and public facility sites in new land developments through the dedication or reservation for purchase of land for public purposes.
- h. To assure equitable review and approval of all subdivision and site plans by providing uniform procedures and standards for the developer.

1.3 INTENT AND APPLICATION

It is the intent of these regulations that they apply to and provide guidance for the development of any lands within the City of Suwanee, whether the

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development involves the subdivision of the land for sale to individual users or pertains only to the construction of buildings or other improvements on a single parcel.

1.4

AGRICULTURAL EXEMPTION

Clearly agricultural uses, limited to the cultivation of the land, dairying or animal husbandry, are not intended to be governed by these regulations, provided that land proposed to be converted to a new agricultural use must be zoned RA-200 to be exempt from the provisions herein.

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**ARTICLE 2
DEFINITIONS**

2.1 USE OF WORDS AND INTERPRETATION

2.1.1 For the purposes of these regulations, the following shall apply to the use of all words:

- a. When appropriate to the context, words used in the singular shall include the plural, and the plural the singular; words used in the present tense shall include the future tense, and vice versa.
- b. Words in the masculine gender shall include the feminine.
- c. The word "shall" is mandatory and not discretionary.
- d. The word "may" is permissive.
- e. Use of the word "and" is inclusive and requires that all of the component phrases so connected must be present or fulfilled for sufficiency.
- f. Use of the word "or" is not exclusive (as in "either ... or"), and requires that at least one of the component phrases so connected must be present or fulfilled for sufficiency. The word "or" may allow more than one component phrase to be present or fulfilled, as is implied by the common term "and/or."

2.1.2 The following shall control the interpretation of words and phrases as used in these regulations:

- a. Words and phrases defined in this article shall be interpreted as defined herein.
- b. Words or phrases not defined herein shall be interpreted as defined in the Zoning Ordinance of City of Suwanee, or as defined in the City's 's Soil Erosion and Sediment Control Ordinance, Buffer, Landscape, and Tree Ordinance, or Mobile Home Park Regulations, as applicable to the use of the word within the context of these Regulations.

2.2 DEFINITIONS OF WORDS AND PHRASES

Certain words or phrases in these Regulations are defined for their use herein as follows:

Alley or Service Drive - A minor, permanent, public service-way which is used primarily for vehicular service access to the back or the side for

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properties otherwise abutting on a street.

Applicant - A person, either the owner or the bona fide representative of the owner of land or structures governed by these regulations, who seeks authority to use, develop, construct upon or otherwise enjoy the use of property through any of the procedures established under these regulations.

Arterial – As defined in the Zoning Ordinance

"As-Built" Survey - See Record Drawing.

"Base Flood" - The flood which has a one percent probability of occurring in any calendar year (i.e., the 100 year frequency flood).

Base Flood Elevation - The highest water surface elevation anticipated at any given point during the base flood.

Big Haynes Creek Watershed Protection Area - That area of land lying within the drainage basin or watershed of Big Haynes Creek as shown on the official set of maps of the protection area maintained by the Department of Planning & Development.

Block - A piece or parcel of land entirely surrounded by public streets, other than alleys.

Board of Commissioners - The Mayor and Council of City of Suwanee, Georgia.

Buildable Lot of Record - A lot or parcel of land which existed as a single parcel of ownership, recorded as such in its entirety and present boundaries with the Clerk to Superior Court prior to June 2, 1970, or which is shown in its entirety and present boundaries on a Final Plat or Exemption Plat duly approved under these or any previously applicable regulations providing for the subdivision of land in City of Suwanee and recorded with the Clerk to Superior Court of Gwinnett County.

Building Setback Line - A line across a lot parallel to a street right-of-way or other property line establishing the minimum open space to be provided between any principal building and the street or other property line. All building setback lines shall be at least as restrictive as the corresponding minimum yard setbacks required in the Zoning Ordinance. On corner lots,

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the minimum required front yard setback shall be provided along all abutting streets.

Certificate of Development Conformance - Final approval issued by the Department for completion of land development activities for a subdivision or project for which a Development Permit was issued.

Certificate of Occupancy - Final approval by the Department for the use or occupancy of a structure for which a Building Permit was issued.

Clearing - The removal of trees or other vegetation, but not including grubbing activities.

Collector – As defined in the Zoning Ordinance.

Comprehensive Plan – City of Suwanee Comprehensive Plan as adopted or amended. A plan summarizing and illustrating the adopted goals and objectives of the City Council regarding the future location and character of anticipated land uses, transportation, and other public facilities in City of Suwanee. The term "Comprehensive Plan" includes component or functional plans for the City's , including but not limited to a plan for land use (i.e., Land Use Plan) or a plan for transportation facilities, and includes the classification of streets and thoroughfares as shown on the adopted Long Range Road Classification Map.

Concept Plan - A drawing which shows the overall concept (e.g., a concept plan) of a proposed development, and which may include lots and streets in a subdivision or the general location of buildings and improvements for a multi-family or non-residential project, and which may be drawn to approximate dimensions in a freehand style. A Sketch Plan as required by the 1970 Subdivision Regulations is equivalent to a Concept Plan under these Regulations.

Condominium - A form of property ownership in which the buildings or portions of the buildings, whether residential or non-residential in use, are owned by individuals separate from the lands which surround the buildings, said lands held in common ownership by the owners of the several buildings.

Cul-de-Sac - A street having one end open to traffic and being permanently terminated within the development by a vehicular turnaround. For the purpose of designation, a cul-de-sac street shall be interpreted to begin at

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the intersection of two or more streets nearest to the vehicular turnaround.

Department - The Department of Planning and Community Development of the City of Suwanee, Georgia.

Department of Transportation - The City Engineer or Gwinnett County Department of Transportation.

Developer - Any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit who directs the undertaking or purposes to undertake development activities as herein defined, whether the development involves the subdivision of the land for sale to individual users, the construction of buildings or other improvements on a single land ownership, or both.

Development - 1. (verb) All activities associated with the conversion of land or the expansion or replacement of an existing use to any new use intended for human operation, occupancy or habitation, other than for agricultural purposes devoted strictly to the cultivation of the land, dairying or animal husbandry. Such activities include land disturbance (clearing and grubbing the land of vegetation and stumps, and grading) and the construction of improvements such as but not limited to streets, driveways or parking areas, water or sewer mains, storm water drainage facilities, sidewalks or other structures permanently placed on or in the property. 2. (noun) Where appropriate to the context, the term "development" also may be used to denote a specific subdivision or project which is a single entity or intended to be constructed as in interrelated whole, whether simultaneously or in phases.

Development Agreement - A written contract between City of Suwanee and a property owner or developer that specifies the System Improvements to be provided by the developer for a specific project.

Development Permit - An official authorization issued by the Department permitting clearing, grubbing, grading, or construction of storm drainage facilities, access drives, streets, parking or other improvements exclusive of buildings.

Development Plans - The detailed and professional plans showing the layout and design, site work and construction activities proposed for a project (other than architectural building plans) and including the Preliminary Plat or Site Plan (as applicable), Grading Plan, Tree

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Preservation/Replacement Plan, Erosion and Sediment Control Plan, Buffer and Landscape Plan, and construction drawings for streets, storm water drainage facilities, sanitary sewers, water supply facilities, and other site improvements.

Diameter Breast Height (dbh) - The diameter of a tree measured at a point 4 and 1/2 feet above the ground.

Director - The Director of the Department of Planning and Community Development or his designee.

Drainage Improvements - Those facilities and structures intended to control and direct the passage of storm waters and other surface water flows from and across a property; including, but not limited to, swales and ditches, cross drains and other piping systems, catch basins, detention ponds, and velocity dissipation devices.

Dripline - A line on the ground established by a vertical plane extending from a tree's outermost branch tips down to the ground; i.e., the line enclosing the area directly beneath the tree's crown from which rainfall would drip.

Driveway - A vehicular access way in private ownership, other than a Private Street, which provides access primarily to only one property, or to no more than 2 single-family detached residences.

Easement - Recorded authorization for a specified purpose by a property owner for the use of any designated part of the real property by another entity.

Engineering Department - City Consulting Engineer

Erosion Control Regulations - City of Suwanee, Georgia Erosion and Sedimentation Control Ordinance.

Exemption Plat - A subdivision plat drawn to Final Plat standards, as contained herein, prepared in accordance with one of the exemptions provided under Article 3 of these Regulations.

Fee Simple - A form of property ownership in which the buildings and surrounding lands are owned by the same person.

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Federal Emergency Management Agency (FEMA) - The Federal Agency which administers the National Flood Insurance Program. This Agency prepares, revises and distributes the maps and studies referenced in these Regulations.

Final Plat - A finished drawing of a subdivision showing completely and accurately all legal and boundary information and certification required by these Regulations.

Fire Marshall's Office - A section of the Gwinnett County Department of Fire and Emergency Services charged with the responsibility of enforcing the County's Fire Prevention and Protection Code, the Standard Fire Prevention Code, the National Fire Prevention Code and Georgia Handicap Laws.

Fire Services Division - A division of the Gwinnett County Department of Public Safety charged with the responsibility of enforcing the County's Fire Prevention and Life Safety Codes, and Gwinnett Handicap Ordinance.

Flood or Flooding - A general and temporary condition or partial or complete inundation of normally dry land areas.

Flood Boundary and Floodway Map - The official map issued by the Federal Emergency Management Agency, where the boundaries of the floodways are shown and the areas of Special Flood Hazard have been defined as Zone "A".

Flood Insurance Rate Map (FIRM) - An official map on which the Federal Emergency Management Agency has delineated both the areas of Special Flood Hazard and the applicable risk premium zones.

Flood Insurance Study - The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary and Floodway Map and the water surface elevation of the base flood.

Floodway - The channel of a river or other watercourse and the adjacent areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Flood Prone Area - See the Floodplain Management Ordinance of City of Suwanee.

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Flood Hazard Area - See Floodplain.

Floodplain - Those lands subject to flooding, which have at least a one percent probability of flooding occurrence in any calendar year; i.e., the 100-year frequency or base flood. See Flood Management Ordinance for ancillary terms.

Flood Related Definitions - See the Floodplain Management Ordinance, for specific definitions of terms used in relation to flooding, alteration of floodplains, construction of structures in or adjacent to floodplains, etc.,

Freeboard - The distance between the base flood elevation and the top of a storm water detention structure.

Georgia DOT - The Department of Transportation of the State of Georgia.

Grading - The movement, removal or addition of earth on a site by the use of mechanical equipment.

Grading Permit - An official authorization issued by the Department permitting grading of a site, and may include installation of attendant storm water drainage facilities.

Grubbing - The removal of stumps or roots from a property.

Health Department - The Environmental Health Services Division of the Georgia Department of Human Resources for Gwinnett County.

Hotspot – An area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in storm water or to violate water quality standards.

House Location Plan (HLP) - A drawing showing lot information and all improvements, as outlined in Article 6.

Impervious Surface - Any paved, hardened or structural surface, including but not limited to, buildings, dams, decks, driveways, parking areas, patios, streets, swimming pools, tennis courts, walkways, and other structures.

Land Disturbance Permit - Any permit other than a Building Permit issued by City of Suwanee that authorizes clearing or grading activities on a site or

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portion of a site. Said permit may be a Clearing, Clearing and Grubbing, a Grading, or Development Permit as defined and authorized herein.

Lot - A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the right-of-way of a road or crosswalk may be included.

Lot, Corner - A lot abutting upon two or more streets at their intersection.

Lot, Double Frontage - A lot other than a corner lot abutting upon two or more streets.

Major Intersection - The intersection of two or more public streets in which at least one of the streets is an arterial or major collector as designated by the Comprehensive Plan.

Major Thoroughfare - Any public street, existing or proposed, which is shown in the Comprehensive plan as an arterial or major collector.

Mean Sea Level - The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of these Regulations, the term is synonymous with National Geodetic Vertical Datum (NGVD).

Minor Collector - A through street having the primary function of connecting subdivisions or other areas to Major Collector streets or other major thoroughfares, or functioning as a central route within a subdivision channeling traffic from the local streets to an abutting major thoroughfare or another Minor Collector street. For the purposes of these Regulations, a central but non-through route within a subdivision or other project will be considered as a Minor Collector, if the Average Daily Traffic generated by the development on the route will exceed 2000 trips.

Open Space, Big Haynes Creek Watershed - A parcel of land set aside, designated and reserved which shall remain in its natural state, undisturbed and unoccupied by any structures or impervious surfaces, and located within the Big Haynes Creek Watershed Protection Area.

Owner - A person having a majority fee simple interest in real property, or a majority interest through any other form of ownership.

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Pedestrian Way - A right-of-way within a block dedicated to public use, intended primarily for pedestrians and from which motor propelled vehicles are excluded.

Person - An individual, firm, partnership, corporation, joint venture, association, social club, fraternal organization, estate, trust, business trust, receiver, syndicate, or other group or combination acting singly or collectively for a common purpose, and the duly authorized agents thereof.

Planning Commission - -City of Suwanee Planning Commission.

Plat - A map indicating the subdivision, resubdivision, or recombination of land.

Preliminary Plat - A drawing which shows the perimeter boundary, topography, lotting arrangements, street layout, and other features of a proposed subdivision, as specified in these Regulations.

Project - A principal building or structure, or group of buildings or structures, planned and designed as an interdependent unit together with all accessory uses or structures, utilities, drainage, access, and circulation facilities, whether built in whole or in phases. Examples include: a principal building on a lot, a residential subdivision, a multi-family development, a shopping center or an office park.

Project Access Improvement - Any improvement or facility that is planned and designed to provide service or access for a particular project and which is necessary for the use and convenience of the occupants or users of the project and is not a System Improvement. A Project Access Improvement includes but is not limited to: pedestrian access improvements; site driveways; new streets; median cuts; right turn lanes, left turn lanes, acceleration lanes, and deceleration lanes made necessary to serve site driveways or new streets leading to or from the project; traffic control measures made necessary to serve site driveways or new streets; intersection improvements whose primary purpose at the time of construction is to provide access to the Project; and, necessary right-of-way dedications required for any Project Access Improvement.

Public Utilities Department - The Gwinnett County Department of Public Utilities, which includes the Water Pollution Control Division and the Water System Division.

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Record Drawing - A survey or other drawing based on a field survey which shows existing features or components and horizontal or vertical information (grades or location of improvements).

Redevelopment - Development on a previously developed site; but excludes ordinary maintenance activities, remodeling of existing building interiors, resurfacing of paved areas, and exterior building changes or improvements which do not materially increase or concentrate storm water runoff, or cause additional nonpoint source pollution.

Responsible Party - In the context of enforcement procedures, a person (as defined above) who is alleged to have committed, caused, continued or created a violation of the terms, requirements, regulations, or provisions of these Regulations whether as a direct act, through lack of action or neglect, or at the direction of or on behalf of others. A responsible party may be the owner of a premises where a violation has occurred; an occupant whether through ownership, lease or other tenancy; a contractor, builder or developer; an agent of or person otherwise acting on behalf of the aforementioned parties; or other person acting in violation of these regulations.

"Road" - See "Street, Public".

Roadway - The paved portion of a street from back of curb to back of curb (or edge to edge of pavement for streets not having curbs) but excluding driveway aprons, bridges, and large single and multi-cell culverts which in a hydrologic sense can be considered to function as a bridge.

Sheet Flow - Diffused water running overland to a defined watercourse.

Site Work - Development activity to prepare a property for construction of buildings or finished structures, including clearing, grubbing, grading, and installation of soil sedimentation and erosion control facilities.

Sketch Plan - See Concept Plan.

Street, Private - An access way similar to and having the same function as a public street, providing access to more than one property, but held in private ownership (as distinct from a "driveway").

Street, Public - A right-of-way dedicated to and accepted by City of Suwanee for vehicular traffic or over which City of Suwanee may hold a

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prescriptive easement for public access, and including designated and numbered U. S. and State Highways, and county roads. For the purposes of these Regulations, the term "public street" shall be limited to those which afford or could afford a direct means of vehicular access to abutting property, and exclude limited access roadways which abut a property but from which direct access may not be allowed under any circumstances.

Street, Local Nonresidential - A surface street intended primarily to provide local access to adjacent existing or planned commercial or industrial development and not for through traffic.

Street, Local Residential - A surface street intended primarily to provide local access to adjacent residential development and not for through traffic.

Street, Marginal Access - A local street which is parallel to and adjacent to a major thoroughfare and which provides access to adjacent properties and protection from through traffic.

Structure - Anything constructed or erected on the ground or attached to something on the ground.

Subdivider - Any person, individual, firm partnership, association, corporation, estate, trust, or any other group or combination acting as a unit dividing or proposing to divide land so as to constitute a subdivision as herein defined, including an agent of the subdivider.

Subdivision - 1. (verb) Any division or redivision of a lot, tract or parcel, regardless of its existing or future use, into 2 or more lots, tracts or parcels. The term, "subdivision" shall mean the act or process of dividing property.
2. (noun) Where appropriate to the context, the term "subdivision" also may be used in reference to the aggregate of all lots held in common ownership at the time of division.

System Improvement - Any improvement or facility such as streets, bridges, or rights-of-ways identified on the Long Range Road Classification Map (i.e. "the System"), and any traffic control measures, landscaping or other features to same, that is included in the Comprehensive Plan and which is further designed to provide service to the community at large.

Tie Point - The point of reference for a boundary survey. Said point of reference shall be an established, monumented position which can be identified or relocated from maps, plats, or other documents on public

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record.

Traffic Engineer - City of Suwanee Consulting Engineer.

Tree - Any self-supporting woody perennial plant, usually having a main stem or trunk and many branches, and at maturity normally attaining a trunk diameter greater than three inches at any point and a height of over ten feet.

Tree Diameter - The widest cross-sectional dimension of a tree trunk measured at diameter breast height (dbh) or at any point below dbh for new trees or multi-trunked species, but in no case less than 6 inches from the ground.

Tree Protection Area - Any portion of a site wherein are located existing trees which are proposed to be retained in order to comply with the buffer requirements of the Zoning Ordinance or the requirements of the Buffer, Landscape, and Tree Ordinance.

Tree Preservation/Replacement Plan - A plan that identifies Tree Protection Areas, existing trees to be preserved and proposed replacement trees to be planted on a property to meet minimum requirements of the Buffer, Landscape, and Tree Ordinance, as well as methods of tree protection to be undertaken on the site and other pertinent information.

Water Pollution Control Division - A division of the Public Utilities Department charged with the responsibility for the design, installation, inspection, approval, and maintenance of the public sanitary sewer system and wastewater treatment in unincorporated Gwinnett County.

Water System Division – City of Suwanee Water Department and/or Gwinnett Water System Division as applicable.

Watercourse - A channel with a defined bed and banks, including lakes, ponds, and marshes.

Zoning Ordinance - The City of Suwanee Zoning Ordinance, as amended.

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**ARTICLE 3
APPLICATION OF THE REGULATIONS**

3.1 APPLICATION

Any land disturbance activity or any development activity must first comply with these regulations.

3.2 DEDICATION OF PUBLIC LANDS AND FACILITIES

3.2.1 No land dedicated as a public street or other public purpose shall be opened or accepted as a public street or for any other public purpose, and no subdivision of land shall be made, no subdivision plat, nor part thereof, shall be recorded before obtaining final approval from the City of Suwanee Planning Department. Said approval shall be entered in writing on the Final Plat, as well as by the Mayor. The Planning Department is hereby authorized to accept such dedications of lands and public facilities on behalf of the City, subject to the Mayor's approval, and to cause such dedications to be recorded by the Clerk of Superior Court of Gwinnett County.

3.3 TRANSFER OF LAND OWNERSHIP

3.3.1 No person, firm, partnership, association, corporation, estate, trust, developer, subdivider or any other owner or agent shall transfer title or attempt to record the title to any land in the City and no building permit may be issued on said land, unless:

a. Said land existed as single parcel of ownership, recorded as such in its entirety and present boundaries with the Clerk to Superior Court of Gwinnett County prior to the adoption of the Subdivision Regulations of the City; or,

b. Said land is shown in its entirety and present boundaries on a Final Plat as approved (under these or any previous applicable regulations) and duly recorded with the Clerk to Superior Court of Gwinnett County; or,

c. Said land is shown in its entirety and present boundaries on a plat authorized by the City and recorded with the Clerk to Superior Court of Gwinnett County pursuant to the regulations governing Subdivision Exemptions contained herein: or

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- d. Said land is an aggregation of properties for land assembly purposes, and no building permit will be requested prior to the filing of an application for an issuance of a development permit, pursuant to these regulations.

3.3.2 No person, firm, partnership, association, corporation, estate, trust, developer, subdivider or any other owner or agent shall transfer title to any property by reference to, exhibition of, or any other use of any map of plat illustrating the subdivision of land without a Final Plat of said land showing said property first having been duly approved under the procedures of these Regulations or any previously applicable regulations and recorded with the Clerk to Superior Court of Gwinnett County.

3.4 SUBDIVISION EXEMPTIONS

3.4.1 General Requirements

For the purpose of these Regulations the types of activities contained in this Section shall be considered subdivisions but exempt from the "procedures" and "required public improvements" portions of these Regulations, except as noted. Each such subdivision shall be drawn as an Exemption Plat in accordance with Final Plat standards (except Sections 3.4.4 b and 3.4.6) pursuant to the requirements of these regulations and shall be submitted in an appropriate number of copies together with the appropriate fees to the department for review and approval. Upon approval, the director shall authorize the recording of the Exemption Plat with the Clerk of Superior Court of City of Suwanee and grant the issuance of building permits pursuant to the Codes and Ordinances of City of Suwanee.

3.4.2 Recombinations

The combination or recombination of all of two or more buildable lots of record, where the total number of lots is not increased and the resultant lots or parcels are in compliance with the Zoning Ordinance. An Exemption Plat shall not be required for aggregations of properties for land assembly purposes where no building permit will be requested prior to issuance of a development permit.

3.4.3 Minor Subdivision

The division of a buildable lot of record into five (5) or fewer lots, provided:

- a. Each proposed lot complies with all requirements of the Zoning

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- Ordinance and is limited to single family detached residential use.
- b. Each proposed lot abuts upon an existing Public Street.
 - c. All project related slope and utility easements as well as necessary street right-of-way as determined by the department based on the Comprehensive Plan are provided at no cost to the county.
 - d. Each lot thus created may not be resubdivided pursuant to the provisions of this subparagraph. Such resubdivision shall be accomplished only through the procedures contained in Article 11 of these regulations.
 - e. Each proposed lot shall comply with the requirements of the Department of Public Utilities and the Environmental Health Department, as appropriate, whose certification of approval shall be required prior to approval of the Exemption Plat by the department.

The director is authorized to grant a modification from the five (5) lot maximum exemption; provided, however, modifications shall not be granted to exceed a total of seven (7) exempt lots. The director may impose conditions of approval upon any modification thus granted as may be necessary to ensure the general public welfare.

3.4.4 Estate Subdivisions

- a. The division of land in any single family detached residential zoning district into lots having a minimum lot area of at least five acres, provided:
 - (1) Each proposed lot abuts upon an existing Public Street which contains the necessary right-of-way width required by these Regulations as determined by the Comprehensive Plan.
 - (2) Each proposed lot shall provide at least 100 feet of frontage upon the street, shall provide at least 200 feet of lot width measured in accordance with the requirements of the Zoning Ordinance, and shall meet or exceed all other minimum requirements of the applicable single family detached residential zoning district.
 - (3) All project related slope and utility easements as well as necessary street right-of way shall be provided at no cost to the City and/or County as determined by the department based upon the Comprehensive Plan.
 - (4) No lot thus created may be resubdivided to less than 5 acres as an exemption to these Regulations.
 - (5) Each proposed lot shall comply with the requirements of the Department of Public Utilities and the Environmental Health

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Department, as appropriate, whose certification of approval shall be required prior to approval of the Exemption Plat by the Department.

- b. The division of land in any single family detached residential zoning district into lots having a minimum lot area of at least ten acres, provided:
 - (1) Each proposed lot abuts upon an existing public street.
 - (2) Each proposed lot shall provide at least 100 feet of frontage upon the street, shall provide at least 200 feet of lot width measured in accordance with the requirements of the Zoning Ordinance, and shall meet or exceed all other minimum requirements of the applicable single family detached residential zoning district.
 - (3) No lot thus created may be resubdivided to less than 5 acres as an exemption to these Regulations.
 - (4) A Record Survey certified by a Land Surveyor currently registered in the State of Georgia shall be submitted to and approved by the department showing all lots.

3.4.5 Nonresidential Project Management

The creation of a lot for recording within an overall nonresidential development, provided:

- a. The overall nonresidential development is being undertaken as a single multi-phase or multi-use project under the unified control of a single developer, is zoned for such use or development, and an overall Concept Plan for the entire project has been approved by the director.
- b. The proposed subdivision is clearly intended to transfer title for financing or building management purposes and not for the sale of the property for future development, to the satisfaction of the director.
- c. The proposed lot has been approved by the department to be provided permanent vehicular access by private drive. Said access shall be established by easement or acceptable covenant prior to or concurrently with recording of the Exemption Plat.
- d. The proposed lot must encompass a principal structure which has been granted a building permit and which is under construction or has been completed.
- e. The Exemption Plat shall be drawn to include the entirety of the overall development and shall clearly identify those lots to be recorded, those lots previously recorded and the remainder of the

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development which shall be labeled "not included." All easements, dedications, etc., shall be shown as appropriate or as required. Each lot shall be consistent with the zoning approved for the overall development and the applicable requirements of the Zoning Ordinance.

3.4.6 Amnesty Lots

The designation of a lot as a buildable lot of record if the lot was recorded between the adoption of the Subdivision Regulations and the effective date of these Regulations but not reviewed under the provisions of the Subdivision Regulations in effect at that time, provided:

- a. The Exemption Plat is limited to one (1) individual lot and no property which adjoins the lot is or has been owned by the applicant in whole or in part.
- b. The lot meets all requirements of the Zoning Ordinance, and the applicant demonstrates to the satisfaction of the director that approval of the lot will not create nonconformity to the requirements of the Zoning Ordinance on any other portion of the original property from which the lot was subdivided.
- c. The lot abuts upon an existing public street.
- d. All project related slope and utility easements as well as necessary street right-of-way as determined by the director based on the Comprehensive Plan is provided at no cost to the county.
- e. The lot shall comply with the requirements of the Department of Public Utilities and the Environmental Health Department, as appropriate, whose certification of approval shall be required prior to approval of the Exemption Plat by the director.
- f. A Record Survey certified by a Land Surveyor currently registered in the State of Georgia shall be submitted to and approved by the department showing the lot.

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**ARTICLE 4
PERMITS REQUIRED FOR DEVELOPMENT OR CONSTRUCTION**

4.1 AUTHORIZATION REQUIRED FOR LAND DISTURBANCE OR DEVELOPMENT ACTIVITIES

4.1.1 Permit Required; Exemptions

No disturbance of the land, including clearing, grubbing, or grading activities, shall commence or proceed except in accordance with the provisions of these Development Regulations, unless the activity is exempt as an agricultural activity in the RA-200 zoning district, or is for the construction of an individual single-family detached or duplex residence on a buildable lot of record.

4.1.2 Plan Review and Approval

Any developer of land within the City of Suwanee shall first submit to the Department such plans, plats, or construction drawings as may be required by these Regulations and shall have been granted a permit consistent with these Regulations and approved by the Department prior to the initiation of development activities. Approval of plans by City of Suwanee officials or employees shall not imply nor transfer acceptance of responsibility for the application of the principles of engineering, architecture, landscape architecture, or any other profession, from the professional corporation or individual under whose hand or supervision the plans were prepared and sealed. Article 10 of these Regulations details the elements of the required plans.

4.1.3 Chattahoochee River Corridor Certificate

If any portion of a property included within a proposed project is located within 2,000 feet of the bank of the Chattahoochee River, the project shall first obtain a Certificate authorizing the development under the provisions of the Metropolitan River Protection Act before any clearing, grading, or construction activity may be granted a permit by the Department or any other agency. All permits issued by City of Suwanee pursuant to such authorization shall be consistent with the requirements and provisions of the Certificate. Any violation of the provisions of the Metropolitan River Protection Act Certificate shall be considered as though a violation of these Development Regulations, and shall be subject to the enforcement and

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penalty provisions hereunder.

4.1.4 Interdepartmental Review and Approval

The Department shall not issue a permit for any development activities until the plans, plats, or construction drawings, as applicable, have been approved by such other departments or agencies as may have authority or jurisdiction over said activities in whole or in part.

4.1.5 Activities Limited to Permit Authorization

Development activities shall be limited to those as authorized by the applicable permit and as may be further restricted by conditions of approval pertaining thereto attached by the Department or other department or agency as may have authority or jurisdiction over said activities in whole or in part.

4.1.6 Developer's Responsibility for Compliance

No permit shall be interpreted to relieve any developer or subdivider of the responsibility of maintaining full compliance with all codes, ordinances, and other regulations of City of Suwanee except as amended by an approved Waiver, Variance, or other relief granted through applicable formal appeal procedures for a specific property or application. Any permit issued in error or in contradiction to the provisions of an adopted code, ordinance, or regulation of City of Suwanee shall be considered to have been null and void upon its issuance.

4.2 LAND DISTURBANCE PERMITS

4.2.1 Clearing Permit, Clearing and Grubbing Permit, and Grading Permit.

The following permits covering portions of the land development process may be issued in accordance with the requirements of these Regulations and the provisions of any Metropolitan River Protection Act Certificate, if applicable:

a. Clearing Permit:

- (1) A permit limited to clearing only with no grubbing or other land disturbance (as defined in the Georgia Soil Erosion and Sedimentation Act) may be issued upon identification of the

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property, the limits of the area to be cleared and the type of activities to be undertaken, and approval of a Tree Preservation/Replacement Plan as may be required under the Buffer, Landscape, and Tree Ordinance. All clearing activities are to be consistent with the provisions of these Regulations, the Soil Erosion and Sediment Control Ordinance, the Zoning Ordinance and any conditions of zoning approval.

- (2) A clearing permit shall expire unless activities are commenced within 60 consecutive calendar days of issuance of the permit or if activities lapse and are abandoned for a period exceeding 30 consecutive calendar days.
- (3) A clearing permit shall not be construed as approval of or authorization to construct any improvements, buildings, or other structures on the property.

b. Clearing and Grubbing Permit:

- (1) A clearing and grubbing permit may be approved based on approval of a Concept Plan and Tree Preservation and/or Replacement Plan (if required) for the development. Appropriate soil erosion and sedimentation controls and tree protection measures shall be placed and maintained as required.
- (2) A permit for clearing and grubbing shall expire unless activities are commenced within 60 consecutive calendar days of issuance of the permit or if activities lapse and the project is abandoned for a period exceeding 30 calendar days.
- (3) A clearing and grubbing permit shall be limited to the removal of vegetation and stumps and the placement of required tree protection measures and soil erosion and sedimentation facilities, and may authorize the removal of existing structures on the property at the option of the developer. No grading or construction activities may be started under a clearing and grubbing permit. The approval of a clearing and grubbing permit shall not imply the approval of or authorization to construct any improvements, buildings, or other structures on the property.

c. Grading Permit:

- (1) A grading permit which may include clearing and grubbing,

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may be issued prior to approval of a development permit, as provided under Article 10 of these Regulations. A grading permit may also be issued for earth borrow or storage, where no development or construction is proposed or imminent, based on approval of a grading plan, soil erosion and sediment control plan, and hydrology study, consistent with the requirements of the Buffer, Landscape, and Tree Ordinance, the zoning category of the site, and the provisions of the Comprehensive plan (as applicable).

- (2) A permit authorizing but limited to grading (and clearing and grubbing) shall expire unless activities are commenced within 60 consecutive calendar days of issuance of the permit or if activities lapse and the project is abandoned for a period exceeding 30 calendar days. Any site for which the grading permit expires shall immediately be stabilized to prevent erosion.
- (3) A grading permit shall be limited in its authorization to land grading activities along with associated tree protection, clearing and grubbing, and demolition activities, and may authorize the construction of storm drainage improvements and soil erosion and sedimentation facilities as allowed by the permit itself.

4.2.2 Development Permit

a. Development Activities Authorized

A Development Permit shall be issued to authorize all activities associated with the land development process, including clearing and grubbing, grading, and the construction of such improvements as streets, surface parking areas and drives, sewer systems, storm water drainage facilities, sidewalks, or other structures permanently placed on or in the property except for buildings or other structures requiring the issuance of a building permit. Water system improvements shall be authorized solely by the Public Utilities Department.

b. Development Permit Approval

A development permit (which may include grading, clearing, and grubbing) shall be issued at the developer's request following approval of a Metropolitan River Protection Act Certificate, if

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applicable, and upon approval of a Preliminary Plat for a subdivision or a Site Plan for a non-subdivision project, along with approval of all other development plans and documents required to be submitted under Article 5 of these Regulations. All plans approved for a development permit shall expire after six months if no permit is issued within said time period.

c. Expiration of Development Permits

A development permit shall expire 12 consecutive calendar months after issuance unless development activity as authorized by the permit is initiated within the twelve-month period or if such authorized activities lapse and the project is abandoned for a period exceeding 60 consecutive calendar days. The Director may approve one extension not exceeding three consecutive calendar months within which time development activity must commence or the permit shall expire. Said extension shall be applied for within the first twelve consecutive calendar months after the permit's issuance.

d. Lapse in Construction Activity

For the purposes of these Regulations, a lapse in or suspension of development activity as authorized by a development permit, as a direct result of action or inaction on the part of City of Suwanee completely beyond the control of the developer, shall not be considered as a lapse in activity causing the development permit to expire. The twelve months within which development activity must begin shall exclude any such time period during which the activity is prohibited or has been caused to lapse by said City action or inaction.

4.3 BUILDING PERMITS

4.3.1 Applicable Codes

Building permits for all structures or interior finishes are issued after meeting the applicable requirements of the fire prevention and life safety codes, and the various health, water, sewer, and building codes of City of Suwanee, as well as the provisions of any Certificate approved under the Metropolitan River Protection Act, if applicable.

4.3.2 Health Department: On-Site Sewage Disposal

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For any structure for which on-site sewage disposal will be provided, a permit issued by the Health Department shall be required prior to issuance of a building permit. Said permit may first require approval by the Health Department of a plan showing the location of the sewage disposal system and other site improvements, in accordance with their regulations.

4.3.3 Single-Family and Duplex Residences

- a. A building permit for a single or two-family residence may be issued after the recording of a Final Plat or after the lot upon which the building is to be located has otherwise become a buildable lot of record.
- b. The approval by the Department of a House Location Plan (HLP), Residential Drainage Plan (RDP), or Residential Drainage Study (RDS), may be required prior to issuance of the building permit, as noted and conditioned on the Final Plat or as may be required for compliance with the Georgia Metropolitan River Protection Act. For such lots, a Certificate of Occupancy shall not be issued until conformance to the HLP, RDP, or RDS has been field verified by the Department as shown on a certified foundation survey prepared by Registered Land Surveyor. (See Article 6 for plan and study specifications.)

4.3.4 Swimming Pools

Issuance of a building permit for a swimming pool as an accessory use to a single or two-family residence, whether to be issued at the same time as or subsequent to the permitting or construction of the house or duplex, shall first require approval of a Swimming Pool Location Plan (see example in Appendix A). The plan shall show the proposed location of the swimming pool and enclosing fence relative to the residence, the property boundaries, setback lines, septic tank and septic tank drain field (if any), and any easements on the site, and shall comply with all requirements of the Zoning Ordinance and Swimming Pool Code. Based on site conditions, a Residential Drainage Study (RDS) may also be required prior to issuance of the building permit. A Certificate of Occupancy shall not be issued until conformance to the Swimming Pool Location Plan (and to provisions of the RDS, if applicable) has been field verified by the Department.

4.3.5 Multi-Family and Nonresidential Structures

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- a. Issuance of a building permit for any principal building other than a single-family detached or duplex residence (and associated accessory structure) shall first require issuance of a Development Permit for the building site, and the building permit shall be consistent with said Development Permit.
- b. Building plans must be reviewed and approved by the Fire Services Division, Development, and Public Utilities Departments prior to permitting for all structures, except for one and two-family residences or accessory structures. Building Plan approval shall expire after one year, after which rereview and approval by the Department shall be required prior to issuance of a building permit for the building or additional buildings.

4.3.6 Issuance on Buildable Lots of Record; Exceptions

Building permits shall only be issued on buildable lots of record, as defined in these Regulations, except under special circumstances limited to and as specifically described in this Section, below.

- a. In single-family detached and duplex residential subdivision, building permits for no more than two model home buildings, except by approval of a Modification application, on specific lots may be issued by the Department on the basis of an approved Preliminary Plat after the approval of the Environmental Health Department or Department of Public Utilities, as appropriate, and subject to all limitations or requirements as may be established by the Director. A Certificate of Occupancy shall not be issued for the completed model home until the Final Plat encompassing the model home building lots has been approved and recorded.
- b. In nonresidential subdivisions, building permits may be issued by the Department on the basis of an approved Preliminary Plat and after a Development Permit has been approved reflecting the site plan and construction drawings for specific buildings and associated site improvements. Issuance of the building permits shall be conditioned on the following:
 - (1) A performance bond or other approved surety shall have been received in a form acceptable to the City Attorney, drawn in favor of City of Suwanee and in an amount not less

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- than 110 percent of the cost of completing all public improvements as authorized and required by the Preliminary Plat.
- (2) The performance bond or other approved surety shall not exceed an aggregate total for all required public improvements of \$12,000 per acre for the total acreage included within the subdivision or portion of the subdivision wherein the improvements are proposed, except by approval of the City Council.
 - (3) Fire Services Division approval shall be required prior to issuance of any building permit, which may include approval of acceptable access and water under pressure for combustible construction.
 - (4) Approval of the Health Department for on-site sewage disposal or by the Water Pollution Control Division for a building to be served by public sewer shall be required prior to issuance of any building permit.
 - (5) Construction of the required public improvements shall proceed concurrently with construction of the buildings.
 - (6) No Certificate of Occupancy shall be approved for any structure within the subdivision prior to recording of the Final Plat without the express approval of the Director.
 - (7) The Director shall have found that the public interest is best served and that a public purpose is involved in the acceptance of the performance bond.
- c. In fee-simple townhouse subdivisions, a building permit may be issued on a buildable lot of record established for each building (containing any number of townhouse dwelling units) through recording of a Final Plat following completion of all required public improvements. Upon completion of the buildings, the Final Plat shall be rerecorded to establish individual lots for the townhouse units, based on their actual locations, prior to issuance of Certificates of Occupancy.

**ARTICLE 5
GENERAL REQUIREMENTS**

5.1 SUITABILITY OF THE LAND

5.1.1 Unsuitable Land May Not Be Developed

Land subject to flooding, improper drainage or erosion, and any land deemed to be unsuitable for development due to steep slope, unsuitable soils or subsurface conditions, etc., shall not be subjected to development for any uses as may continue such conditions or increase danger to health, safety, life, or property, unless steps are taken to eliminate or abate these conditions.

5.1.2 Unsuitable Land Must Be Included in Buildable Lots

a. Land within a proposed subdivision or development which is unsuitable for development shall be incorporated into the buildable lots as excess land. Lots which do not comply with the requirements of the Zoning Ordinance are prohibited.

b. Exceptions:

(1) Signage and landscape features

The creation of an unbuildable lot in a proposed subdivision for the exclusive purpose of subdivision identification signage or subdivision entrance landscape features is authorized only under the following circumstances (modification applications from the circumstances of this exception shall not be accepted):

- (a) The lot shall be located at an entrance to the subdivision as an "island" in the right-of-way of a local or minor collector street; and,
- (b) A mandatory homeowner's association shall be required for the subdivision for ownership and maintenance of the lot as common area; and,
- (c) The lot shall meet the requirements of the Zoning Ordinance or as may be approved by a zoning variance; and,
- (d) Right-of-way of a minimum width of 6 feet from back of curb shall be provided adjacent to the perimeter of the lot.
- (e) Landscape plantings within the right-of-way shall not

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extend more than 3 feet above the street grade.

(2) Detention Facilities

The creation of an unbuildable lot for the exclusive purpose of providing and maintaining a wet or extended detention facility in the Big Haynes Creek Watershed Protection Area is authorized.

5.2 OFFERS OF LAND DEDICATION

5.2.1 Whenever a developer proposes the dedication of land to public use, and the Director or the appropriate agency finds that such land is neither required nor is it suitable for public use, the Director shall require the rearrangement of lots to include such land in private ownership.

5.3 ZONING AND OTHER REGULATIONS

5.3.1 Whenever there is a discrepancy between minimum standards or dimensions required herein and those contained in zoning regulations, building codes, or other official regulations or resolutions, the most restrictive shall apply. In those instances where the required right-of-way width or roadway improvements for a specific project have been established as a condition of zoning approval, the requirements of the zoning condition shall control, whether more or less restrictive than the requirements of these Regulations.

5.3.2 Building setback lines shall at least conform to the minimum yard requirements of the Zoning Ordinance. Building setback lines along all public streets shall be no less than the front yard setback required on the property by the applicable zoning district in the Zoning Ordinance.

5.4 REQUIRED PUBLIC IMPROVEMENTS

5.4.1 General Requirements

Every developer of lands within the jurisdiction of these Regulations shall provide the Project Access improvements included in these Regulations as shall be appropriate to serve the project, in accordance with these Development Regulations and other pertinent Codes, Ordinances, and regulations of City of Suwanee. Said improvements and associated lands shall be provided at no cost to City of Suwanee, and shall be dedicated or otherwise transferred, as required, to the public in perpetuity and without covenant or reservation, except as otherwise provided herein.

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5.5 LOTS

5.5.1 Lots shall at least conform to requirements of the City of Suwanee Zoning Ordinance.

5.5.2 Double frontage and reverse frontage lots shall be required for residential subdivisions along major thoroughfares where internal access can be provided. A no-access easement of at least ten feet in width, across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery. When located along a major thoroughfare, the no-access easement shall be planted and/or screened as required by the Buffer, Landscape, and Tree Ordinance.

In no-access easements along minor collectors or local streets, planting or other screening treatments shall be at the sole option of the developer.

5.6 SURVEY MONUMENTS

5.6.1 All corners shall be marked with an iron rebar or pin, at least one-half inch in diameter and 18 inches long and driven so as to extend no less than one inch above the finished grade.

5.6.2 On subdivisions containing floodplains, flood elevation references shall be set in accordance with the requirements of the Floodplain Management Ordinance.

5.7 STANDARD DRAWINGS

5.7.1 The department shall maintain on file for consultation and distribution a set of Standard Drawings illustrating details of construction and design of streets, storm water drainage facilities, site improvements and other elements related to the development of land in accordance with these regulations and under the jurisdiction of the department.

5.7.2 The Standard Drawings shall illustrate minimum acceptable standards for land development activities authorized under these regulations, but shall not supersede more restrictive prudent design requirements or good engineering practice as applied to specific situations on a case-by-case basis.

5.7.3 The Standard Drawings shall be treated as though a part of these

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regulations for application to the minimum standards for design and construction of improvements required herein and subject to the modification and appeal provisions of Article 13.

5.8 BUFFERS, LANDSCAPING, TREE PRESERVATION AND TREE REPLACEMENT

5.8.1 General Applicability

The standards and requirements contained in this section shall apply only to tree preservation and replacement, buffers, and landscape areas specifically required by City code, ordinance or resolution, and shall not apply to general or voluntary landscaping or to open space otherwise voluntarily provided on a property.

5.8.2 General Requirements

Any property required by the Buffer, Landscape, and Tree Ordinance, the Zoning Ordinance or conditions of zoning special use or variance approval to provide a buffer or other specific landscaping shall do so in compliance with the standards included in the Buffer, Landscape, and Tree Ordinance and this Section.

- a. For any such property, a Buffer and Landscape Plan shall be prepared by those individuals as required and authorized by the Buffer, Landscape, and Tree Ordinance, and shall be approved by the Department prior to issuance of a Development Permit on the subject site.
- b. At the discretion and option of the applicant, a required Buffer and Landscape Plan and a required Tree Preservation/Replacement Plan may be combined into a single document, as long as the details and elements of the plans can be clearly and easily identified.
- c. Buffer areas or portions of buffer areas where natural vegetation provides an adequate visual screen as required by the Buffer, Landscape, and Tree Ordinance, shall remain natural and undisturbed by any clearing, grading or other construction activity except as authorized by the Development Permit.
- d. In buffer areas where natural vegetation is non-existent or inadequate to provide a visual screen, replanting or supplemental planting shall be required in accordance with the Buffer, Landscape, and Tree Ordinance. The department may also approve additional or alternative screening elements such as planted earthen berms or solid fences where appropriate to the intent of the requirements of the Buffer, Landscape, and Tree Ordinance.

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- e. New plantings in buffers shall be selected for natural survival expectancy for the City of Suwanee environment and for their ability to meet the screening standards established in the Buffer, Landscape, and Tree Ordinance.
- f. Landscape areas or strips shall include trees and shrubs to the extent required by the Buffer, Landscape, and Tree Ordinance, the Zoning Ordinance or conditions of zoning, special use or variance approval. Plant materials may be grouped or arranged so as to achieve aesthetic results following professional landscaping standards, provided sight distances as required by these Regulations are preserved.
- g. Tree plantings required by the Buffer, Landscape, and Tree Ordinance for parking lots may be grouped or arranged so as to achieve aesthetic results, or may be located in landscape islands within the parking lot.

5.8.4 Landscape Performance Surety

In the event that the requirements of this section have not been met at the time that a Certificate of Development Conformance otherwise can be approved by the Department, and the certificate is requested, the director shall require a Landscaping Performance Bond. The owner/developer or the contractor employed by the owner/developer shall post a Landscaping Performance Bond or other City approved surety in an amount equal to 110 percent of the cost of materials, labor, and other attendant costs, incidental to the installation of the required landscaping as part of the owner's Development Performance and Maintenance Agreement with the City . The surety shall:

- a. Be drawn in favor of City of Suwanee
- b. Be in a form satisfactory to the City Attorney.
- c. Specify the time for the completion of the landscaping, which shall not be longer than 3 months following approval of the Certificate of Development Conformance or be in accordance with such other time table for completion acceptable to the department.

5.9.2 Open Space

Open space provided in projects located in the Big Haynes Creek Watershed Protection Area shall meet the following requirements:

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- a. **Open Space Shall be Natural and Undisturbed**
Open space shall be permanent and shall remain in its natural state, undisturbed and unoccupied by any structures or impervious surfaces to include septic tanks and septic tank drain fields and except for approved access or utility crossings. Pedestrian access in open space shall be subject to the review and approval of the director. Buffers, floodplains and wetlands may be utilized as open space.
- b. **Ownership Requirements**
Open space provided in a development shall be owned and maintained by the property owner, or in the case of a subdivision, by a property owner's association. The association shall be established by the developer prior to or concurrent with the recording of the Final Plat of the subdivision. The association bylaws shall include the following provisions:
 - (1) Automatic (mandatory) membership of all purchasers of lots therein and their successors; and,
 - (2) Conditions and timing of transferring control of the association from the developer to the lot owners shall be specified which shall not exceed four (4) years from the date of recording of the Final Plat of the subdivision; and,
 - (3) Responsibility for maintenance, insurance and taxes; and,
 - (4) Sharing of the costs of maintenance among the lot owners with shares defined by the association bylaws; and,
 - (5) Authority to place liens on the real property of members who fail to pay their dues or assessments; and,
 - (6) Prohibition on the dissolution of the association without the approval of the City Council.
- c. **Maintenance**
The property owner, or the property owner's association, shall be responsible for the maintenance of open space. Open space shall be kept in reasonable order and condition and shall be maintained free from refuse, junk and debris.

**ARTICLE 6
ACCESS AND RIGHT-OF-WAY REQUIREMENTS;
AND STREET IMPROVEMENT AND CONSTRUCTION
REQUIREMENTS**

6.1 ACCESS

6.1.1 When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged and designed so as to allow for the opening of future streets and to provide access to those areas not presently served by streets.

6.1.2 No subdivision shall be designed so as to completely eliminate street access to adjoining parcels of land. Every development shall be designed to facilitate access to adjoining properties which are developed or anticipated to be developed in a manner substantially similar to the subject property. Locations of interparcel access shall be as required by and subject to the approval of the Department.

6.1.3 Any lot required to provide minimum frontage by the zoning district in which the lot is located shall provide vehicular access directly from a public street along the frontage or along any other property line which abuts a public street, except as provided in Section 6.1.5.

6.1.4 Private streets as may be approved under the provisions of the Zoning Ordinance shall be constructed to the roadway construction standards of City of Suwanee, as contained herein.

6.1.5 Vehicular access easements may be provided from a public street indirectly via easement in any one or more of the following circumstances:

- a. The property is not required to provide a minimum frontage by the applicable zoning district, provided that the easement shall be in a location and the access driveway shall have a width and alignment acceptable to the Fire Services Division and the Department.
- b. The property is a buildable lot of record, as defined herein, but does not meet the minimum frontage requirement of the applicable zoning district. The property must be served by an exclusive access easement which shall be limited to the provision of access to only one principal use or structure.

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- c. The access easement serves a single-family residence on a lot which is otherwise a buildable lot of record, and which is sharing a common driveway with no more than one other single-family residence.
- d. The access easement was lawfully established as such under the code, ordinances, or regulations of City of Suwanee prior to the adoption of these Development Regulations.
- e. The access easement coincides with a private roadway approved under the code, ordinances, or regulations of City of Suwanee. All new private roadways must be constructed to the roadway standards of these Development Regulations, and their ownership and maintenance responsibility by private party(s) must be clearly established on the Final Plat of the development.
- f. The access easement serves a buildable lot of record which meets the minimum frontage requirements of the Zoning Ordinance, but at which point the access is not achieved.

6.2 STREETS

6.2.1 Dedication of Street Right-of-Way

Right-of-Way for all Project Public streets, existing and proposed, shall be dedicated in accordance with the street classifications as shown on the Long-Range Road Classification Map of the Comprehensive Plan.

6.2.2 Street Improvements

Streets, whether existing or new, shall be constructed or improved under those circumstances and to the standards as established in these Regulations. Roadway improvements shall be in accordance with the street classifications as shown on the Long-Range Road Classification Map of the Comprehensive Plan, or the Zoning Ordinance, as applicable, or as otherwise required by the City Council.

6.3 MINIMUM RIGHT-OF-WAY AND STREET IMPROVEMENTS

6.3.1 Right-of-Way and Pavement Widths

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Minimum widths for new construction (new streets or Project Access Improvements) shall be as shown on the following Table 6-A.

TABLE 6-A

MINIMUM RIGHT-OF-WAY AND ROADWAY WIDTHS FOR NEW STREETS AND STREET WIDENINGS****		
STREET CATEGORY	MINIMUM RIGHT-OF-WAY*	MINIMUM ROADWAY**
Arterial	100' to 120'	67'*
Collector	80' to 100'	26'*
Local		
Non-Residential	60'***	32'
Non-Residential Cul-de-sac	60' Radius	50' Radius
Residential Area	50'	28'
Residential Cul-de-sac	50' Radius	40' Radius

* At intersections, additional right-of-way as required for the provision of turn lanes.

** At intersections, additional pavement as required for the provision of turn lanes.

*** Utility easements shall be provided in a location and size as required by the County or City Water System.

****or as may be determined by the City of Suwanee Planning Department based on specific site conditions and situations that may offer substantial benefits to the City's existing and future inhabitants.

6.3.2 Street Rights-of-Way

- a. The minimum width of street right-of-way shall be dedicated based upon the street categories as shown on the Long-Range Road Classification Map in the Comprehensive Plan and as contained in these Regulations.
- b. Additional street right-of-way width shall be required to be dedicated at intersections or other locations which the property abuts upon where deceleration lanes, turning lanes, storage lanes, medians, or realignments are required for traffic safety and minimum right-of-way standards would be inadequate to accommodate the improvements.
- c. If a new street or thoroughfare is proposed by the Comprehensive

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Plan or the State of Georgia to adjoin or traverse the property, permits shall not be issued until the Department has submitted the project to the City Council for review in order to seek a determination if City of Suwanee should acquire the right-of-way or if a study of alternate routes should be undertaken. The review period by City of Suwanee shall not exceed 90 days from the date of permit application. If, after the 90 day review, the City Council is unable to reach a decision, there shall not be any further delay of a requested permit for this situation

6.3.3 Project Access Improvements - Single Family Detached Single Family Attached, and Duplex Residential Subdivisions

- a. When property that abuts upon an existing or proposed County or City road is to be developed or redeveloped as a single family detached or duplex subdivision and the County or City street will provide access to the property, Project Access Improvements to the County City road (deceleration lanes, turn lanes, etc.) shall be provided by the developer as required herein.
- b. A deceleration lane shall be required to be provided at each subdivision street entrance that is provided street access to a Minor Collector Street or Major Thoroughfare. In the event a street has an existing or proposed median, and the developer desires to construct a median break to serve the subdivision, a left turn lane leading to the median break shall be required to be provided by the developer and shall meet the standards contained herein.
- c. Deceleration lanes shall have a length of 200 feet, with an additional 50 foot taper length, a pavement width of 12 feet (exclusive of curb and gutter) and shall be provided with curb and gutter. Additional right-of-way to accommodate the deceleration lane and an 11 foot shoulder shall be dedicated by the developer to City of Suwanee at no cost. Associated drainage improvements as deemed necessary by the construction of the deceleration lane shall also be required.
- d. Other Project Access Improvements may be required by the Department upon the recommendation of the Department of Transportation in order to ensure adequate site access, pedestrian access, convenience and safety to the motoring public.
- e. The developer shall be responsible for the relocation of public or

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private utilities and drainage structures, as may be occasioned by the required Project Access Improvements.

6.3.4 Project Access Improvements - Multi-Family and Nonresidential Developments

- a. When property that abuts upon an existing or proposed County or City road is to be developed or redeveloped for multi-family or nonresidential uses and the County or City road will provide access to the property, access improvements to the County or City road (deceleration lanes, turn lanes, etc.) shall be provided by the developer.
- b. A deceleration lane shall be required to be provided at each project driveway or subdivision street entrance, as applicable, that is provided street access to a Minor Collector Street or Major Thoroughfare. In the event a street has an existing or proposed median, and the developer desires to construct a median break to serve the project, a left turn lane leading to the median break shall be required to be provided by the developer and shall meet the standards contained herein.
- c. Deceleration lanes shall have a length of 200 feet, with an additional 50 foot taper length, pavement width of 12 feet (exclusive of curb and gutter) and shall be provided with curb and gutter. Additional right-of-way to accommodate the deceleration lane and an 11 foot shoulder shall be dedicated by the developer to City of Suwanee at no cost. Associated drainage improvements as deemed necessary by the construction of the deceleration lane shall also be required.
- d. Other Project Access Improvements may be required by the Department upon the recommendation of the Department of Transportation in order to ensure adequate site access, pedestrian access, convenience and safety to the motoring public.
- e. The Developer shall be responsible for the relocation of public or private utilities and drainage structures as may be occasioned by the required Project Access Improvements.

6.3.5 New Streets

- a. All new streets proposed to be constructed in a subdivision or other

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development, whether to be public or private, shall be designed and constructed at least to the standards contained in these Regulations in accordance with the category of said streets.

- b. In residential subdivisions, a dead end ("stub") street required under Section 6.4.4 to provide access to an abutting property may be exempted from construction of roadway improvements and public utilities under the following circumstances:
 - (1) No lot within the proposed subdivision will gain access from the "stub" street.
 - (2) A Concept Plan has not been submitted or approved on the neighboring tract.
 - (3) The "stub" street shall be fully designed as part of the Development Plans. However, the right-of-way shall only be cleared and rough graded in accordance with the approved plans, and all disturbed areas grassed.
 - (4) Connections for future extension of all public utilities shall be constructed as part of the subdivision. Curb returns shall be constructed as part of the subdivision. Curb returns shall be provided to the future "stub" street roadway location, and curb and gutter shall be installed across the roadway stub at the right-of-way line (extended).
 - (5) The right-of-way for the "stub" street shall be dedicated as part of the Final Plat. Slope easements or construction easements, if required by the street design, shall be shown on the Final Plat.

6.3.6 Substandard Streets

- a. In the event that a development has access to a substandard street (i.e., a dirt or gravel road), the following Project Access Improvements shall be required:
 - (1) If the abutting substandard street provides access to the development and is dirt or gravel, the street shall be upgraded by the developer to a paved roadway from the project entrance to the nearest standard paved road along the route of access.
- b. Off-site Project Access Improvements required under a.(1), above, shall at a minimum, result in a full-section roadway meeting the

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requirements of a Local Residential Rural roadway (24 feet edge to edge of pavement, with drainage swale ditches as needed). Responsibilities shall be as follows:

- (1) The Developer shall design the road and provide the labor, equipment, and materials required for roadway improvements and necessary drainage improvements.
- (2) If the City desires the roadway to be improved to a standard greater than that for a Local Residential Rural roadway, the City shall provide or pay the cost of the additional materials and labor.
- (3) All right-of-way required for these off-site improvements shall be acquired by the developer at no expense to the City. If the developer is unable to acquire the right-of-way, the Department of Transportation shall initiate acquisition proceedings, at the expense of the developer, after authorization by the City Council.

6.3.7 Improvements Along State Highways

For any development which abuts a state highway or other right-of-way controlled by the State of Georgia, improvements to the roadway and the location and design of any street or driveway providing access from the state highway shall comply with the standards and requirements of the Georgia Department of Transportation. A permit for the proposed access or improvements shall be required to have been approved by the Georgia D.O.T. and incorporated into the construction drawings for the project prior to issuance of a development permit by the Department.

6.4 GENERAL LAYOUT REQUIREMENTS

6.4.1 Conformance

The arrangement, character, extent, width, grade, and location of all streets shall conform at a minimum to the Comprehensive Plan and these Regulations.

6.4.2 Local Streets and Minor Collectors

Local streets shall be so laid out that their use by through traffic will be discouraged. Minor collectors shall be provided to channel through traffic movements within a development, where appropriate to the design and a

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major thoroughfare is not proposed by the Comprehensive Plan. Minor collectors also may be provided as central routes within large residential subdivisions, where appropriate to the design, based on project traffic demands exceeding 2000 trips per day (ADT).

6.4.3 Cul-de-sac Streets

- a. Dead end streets designed to have one end permanently closed shall provide a cul-de-sac turnaround and may be no more than 2000' in length. Additional length necessitated by topography or property configuration may be approved by the Director.
- b. The length of a cul-de-sac street shall be measured from the center of the cul-de-sac to the center of the intersection with another street, whether a through street or another cul-de-sac or dead-end street.
- c. Eyebrow cul-de-sac (half cul-de-sacs) will be allowed only at "right-angled" intersections having an interior angle between 80 degrees and 100 degrees.
- d. Cul-de-sacs shall conform to the layout and dimensional requirements as shown in the Standard Drawings.

6.4.4 Other Dead End Streets

- a. A dead end street shall be provided to the boundary of a subdivision where necessary to provide access to a land-locked abutting property, for planned continuity of future circulation, for improved access for public safety vehicles, or for the extension of public water or other utilities to neighboring lands. Such dead end streets shall be designed so as to allow their reasonable extension, and shall be located so as to be reasonably incorporated into a street design for the neighboring property. The stub street requirement may be waived by the Director, provided the Directors of the Departments of Public Safety and Public Utilities concur.
- b. Dead end streets on abutting property shall be extended into a proposed subdivision and incorporated into the street design of the development. This requirement may be modified

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by the Director in cases of serious topographical hardship or dissimilar zoning which would create unacceptable land use conflicts between the two developments. This modification may be conflicts between the two developments. This modification may be conditioned on the provision of easements necessary for the extension of public utilities, the provision of cul-de-sac or other permanent turnaround on the dead end street, or the removal of the dead end street back to its nearest intersection.

- c. Where a dead end street (other than a cul-de-sac) serves more than three lots, the developer shall be required to provide a temporary vehicular turnaround within the right-of-way. This requirement may be waived if extension of the dead end street is approved and under construction prior to its inclusion in a Final Plat.
- d. Where a street dead ends at the property boundary and the street exceeds 1000' in length, a permanent cul-de-sac shall be required. In this situation, right-of-way to the property boundary shall be required, but the pavement shall not be extended to the property boundary beyond the edge of the paved cul-de-sac turnaround. In no case shall a dead end street exceed 2000' in length unless approved by the Department due to unusual topographic conditions or property configuration.

6.4.5 Service Roads

Where a development borders on or contains a railroad right-of-way, or limited access highway right-of-way or major thoroughfare, a public street may be required to be constructed and dedicated within the development approximately parallel to and on each side of such right-of-way.

6.4.6 Half-Streets

Half-streets (new boundary streets having one-half of the minimum required right-of-way or pavement width) shall not be allowed nor access to same be permitted should it exist.

6.4.7 Reserve Strips

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Land in private ownership adjacent to public rights-of-way which could control or are intended to control access to streets, alleys, or public lands shall not be permitted unless their control is given to the City under ownership, dedication, or easement conditions approved by the City Attorney or acceptable to the Director. No development shall be designed so as to deny access to abutting properties.

6.4.8 Alleys

Alleys shall not be provided except where the subdivider produces evidence satisfactory to the Director of the need for same. In the event the Director approves a design which proposes alleys, the alley shall be constructed as though it were a local street pursuant to the standards contained in these Regulations.

6.4.9 Street Jogs

- a. Street jogs shall either directly align or have offsets of a minimum of 125 feet for residential subdivision streets and a minimum of 200 feet for nonresidential subdivision streets, as measured between centerlines of said streets.
- b. All major thoroughfares shall provide offsets as required by the Department, where alignment is not desirable or feasible, but in no case be spaced less than 600 feet apart as measured between centerlines of said streets.

6.5 TRAFFIC CONTROL DEVICES

6.5.1 Traffic Control Signs

Street signs, traffic control signs, and devices such as striping and signalization, shall be provided through payment of fees to the Gwinnett County Department of Transportation for the installation thereof.

6.5.2 Street Name Signs

Street name signs shall have a green background with white legends mounted on channelized posts. Alternate post material shall be subject to the review and approval of the Traffic Engineer. The posts and signs will be furnished and installed by the City at all street intersections. The developer (or homeowners association in the event an alternate signpost

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is chosen at a later date) shall pay the City's costs.

6.5.3 Traffic Signals and Signs

All traffic signals and signs shall conform to the Manual on Uniform Traffic Control Devices (no decorative traffic control devices will be allowed).

6.5.4 Striping Requirements

All newly constructed streets having 4 or more lanes (including auxiliary lanes) and existing streets being widened with one or more additional lanes shall be striped or the payment of said striping costs shall be required from the Developer by the Engineering Department prior to the Approval of Development Conformance for the project. Striping shall be accomplished with paint meeting Georgia DOT standards conforming to the Manual on Uniform Traffic Control Devices.

6.5.5 Payment of Fees

Payment for materials and installation of street name and traffic control signs in new developments shall be required by the Gwinnett County Department of Transportation prior to the Approval of Development Conformance.

6.5.6 Street Lights

Street lights shall be provided by the developer in new subdivisions which propose the construction of a new street to be dedicated to the City which propose lot access to existing City streets.

- a. Upon acceptance of the street light installation by the City of Suwanee, the power provider shall submit monthly bills to the City for payment.
- b. All fixtures and poles shall meet the requirements of the City and all maintenance shall be the responsibility of the power provider. Fixtures shall be mounted a minimum of 16 feet above the ground and each fixture shall have appropriate arm length to illuminate the street. The City, in addition to other requirements, may require a light to be located at street intersections within the development.
- c. Upon acceptance of the street light installation by the City, the power

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provider shall submit monthly bills to the City for payment. The County shall assign a special assessment to each property abutting a street with street lights for payment of the monthly utility costs in accordance with the provisions of Chapter 94 of the Code of Ordinances, Gwinnett County, Georgia.

6.6 SPECIFICATIONS

Unless otherwise specifically set forth herein, all of the materials, methods of construction, and workmanship for the work covered in reference to street construction shall conform to the latest specifications of the Georgia Department of Transportation (Georgia DOT).

6.7 SUBGRADE PREPARATION FOR ALL STREETS

6.7.1 Subgrade preparation shall be in accordance with Georgia DOT specifications and these Regulations.

6.7.2 If any sections of the subgrade are composed of topsoil, organic, or other unsuitable or unstable material, such material shall be removed and replaced with suitable material and then thoroughly compacted as specified for fill or stabilized with stone or a geo-textile or geo-grid.

6.7.3 Fill shall be placed in uniform, horizontal layers not more than 8" thick (loose measurement). Moisture content shall be adjusted as necessary to compact material to 95% of maximum dry density except for the top 12" which shall be compacted to 100% of maximum dry density.

6.7.4 After the earthwork has been completed, all storm drainage, water, and sanitary sewer utilities have been installed within the right-of-way as appropriate, and the backfill in all such ditches thoroughly compacted, the subgrade shall be brought to the lines, grades, and typical roadway section shown on the plans.

6.7.5 Utility trenches cut in the subgrade shall be backfilled as specified herein. Compaction tests at the rate of one per 150 feet of trench shall be provided to verify compaction.

6.7.6 The subgrade must pass roll testing prior to placement of the base material. With the approval of the Department, a geo-textile or grid may be used to stabilize a subgrade that does not pass proof-rolling.

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6.7.7 When the street is to be used for construction traffic before the paving work is completed, a layer of stone (except crusher run) shall be laid as a traffic surface. This material shall not be used as a part of the base material. It may be worked into the subgrade, or it shall be removed before the base course is set up for paving.

6.7.8 Provisions shall be made to drain low points in the road construction when the final paving is delayed. A break in the berm section is required when the curbing has not been constructed. After installation, drainage under the curb to side slopes is required, using minimum 4 inch diameter pipe sections.

6.8 PROJECT ACCESS IMPROVEMENT STANDARDS

6.8.1 For sections 4 feet or greater in width, the section shall comply with the construction standards for new streets, in accordance with the street's category as shown on the Comprehensive Plan. The base course must pass roll testing prior to paving. If a delay in paving is reasonably expected by the Developer or the Department, the base shall be primed with 0.25 gallon of R.C. 70 per square yard and cured for 78 days before paving.

6.8.2 For sections less than 4 feet wide, 7 inches of Class "A" concrete base (5 inches on local and minor collector streets) and 1½ inches of "E" or "F" topping shall be required.

6.9 NEW LOCAL AND MINOR COLLECTOR STREETS

6.9.1 Local and Minor Collector Streets Within a Residential Subdivision.

a. Asphalt Streets:

The following types of base materials may be used:

(1) Crushed Stone Base

(a) Two-Pass Street:

The base course shall consist of at least 5 inches of graded aggregate base. After being thoroughly compacted and brought to proper section 2 inches of "B" binder shall be applied. If a delay in paving is reasonably expected by the Developer or the Department, the base shall be primed with 0.25 gallon of

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R.C. 70 per square yard the same day it is compacted, and cured for 7 days prior to paving. The final 1 inch of type "E" or "F" wearing course shall be applied after 90% of the houses on the street have been built, or prior to the end of the maintenance period (but after the 11th month), whichever occurs first. Prior to applying wearing course, a tack coat shall be applied to the binder course at a rate of no less than 0.05 gallons per square yard. Type of tack shall be approved by the Department prior to placement.

b. Concrete Streets:

Five (5) inches of 3500 psi concrete is to be applied on a stabilized subgrade, consisting of at least 150 pounds of stone per square yard mixed in four inches deep and compacted. The design and construction of the street shall comply with the Portland Cement Association standards.

6.9.3 Nonresidential Subdivision or Development Streets

The following standards shall apply to new local and minor collector streets in nonresidential subdivision and other nonresidential projects.

a. Asphalt Streets:

The following types of base materials may be used:

- (1) Two-Pass Street (Crushed Stone Base):
The base course shall consist of at least 7 inches of graded aggregate base. After being thoroughly compacted and brought to proper section 2 inches of "B" binder shall be applied. If a delay in paving is reasonably expected by the Developer or the Department, the base shall be primed with 0.25 gallon of R.C. 70 per square yard the same day it is compacted, and cured for 7 days prior to paving. The final 1 inch of type "E" or "F" wearing course shall be applied after 90% of the buildings on the street have been built, or prior to the end of the maintenance period (but after the 11th month), whichever occurs first. Prior to applying wearing course, a tack coat shall be applied to the binder course at a rate of no less than 0.05 gallons per square yard. Type of tack shall be

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- approved by the Department prior to placement.
- (2) One-Pass Street (Crushed Stone Base):
The base course shall consist of at least 8 inches of graded aggregate base. After being thoroughly compacted and brought to proper section the final 2 inches of type "E" or "F" wearing course shall be applied. If a delay in paving is reasonably expected by the Developer or the Department, the base shall be primed with 0.25 gallon of R.C. 70 per square yard the same day it is compacted, and cured of 7 days prior to paving.

b. Concrete Streets:

Seven (7) inches of Class "A" 3500 psi concrete is to be applied on a stabilized subgrade, consisting of at least 150 pounds of stone per square yard mixed in four inches deep and compacted. The design and construction of the street shall comply with the Portland Cement Association standards.

6.10 NEW MAJOR THOROUGHFARES

- 6.10.1 Minor collectors shall be constructed in accordance with designs prepared by City of Suwanee or Georgia DOT, or, if no design has been prepared, to the following standards as indicated by Table 6-B:

TABLE 6-B
CONSTRUCTION STANDARDS FOR MAJOR THOROUGHFARES

<u>STREET CATEGORY</u>	<u>BASE</u>	<u>BINDER</u>	<u>TOPPING</u>
Principal Arterial	10" GAB	5"*	1½" E or F
Major Arterial	10" GAB	4" B	1½" E or F
Minor Arterial	10" GAB	3" B	1½" E or F
Major Collector	10" GAB	3" B	1½" E or F
Minor Collector	8" GAB	2" B	1½" E or F

*2 1/2" type "B" binder and 2 1/2" asphaltic concrete base.

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6.11 CURB AND GUTTER

6.11.1 All new streets and Project Access Improvements shall be provided with curb and gutter except in subdivisions zoned R-140, and subdivisions zoned RA-200, where swale ditches may be provided in lieu of curb and gutter. All gutters shall drain smoothly with no areas of ponding.

6.11.2 Residential Curbing

Residential curbing shall meet the following requirements:

- a. Concrete shall be Class "A" (as defined by Georgia D.O.T.) and have a minimum strength of 3,000 PSI at 28 days.
- b. Typical minimum section shall be 6" x 24" X 12".
- c. Vertical and rollback curbing only.

6.11.3 Industrial or Commercial Curbing

Industrial or commercial curbing shall meet the following requirements:

- a. Concrete shall be Class "A" (as defined by Georgia D.O.T.) and have a minimum strength of 3,000 PSI at 28 days.
- b. Typical minimum section shall be 8" X 24" X 14".
- c. Vertical curbing only.

6.11.4 Principal Arterial and Major Arterial Curbing

Principal Arterial and Major Arterial curbing shall meet the following requirements:

- a. Concrete shall be Class "A" (as defined by Georgia D.O.T.) and have a minimum strength of 3,000 PSI at 28 days.
- b. Typical minimum section shall be 8" X 30" X 14".
- c. Vertical curbing only.

6.11.5 Construction Methods:

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- a. Curb and gutter shall be set true to line and grade, horizontal be field staked, and finished to the section shown on the plans. Along the Project Access Improvements of a road which the Department of Transportation has identified for resurfacing within 1 year of the new construction, the grade of the new gutter shall be placed 1" above the Project Access Improvement pavement grade in areas where drainage will not be adversely affected.
- b. Line and grade shall be set by developer's engineer or surveyor on grade less than 2% and over 12%, and within 100 feet in both directions from all low points.
- c. One-half inch expansion joints or premolded bituminous expansion joint material shall be provided at all structures and radius points and at intervals not to exceed 250 feet in the remainder of the curb and gutter.
- d. Inferior workmanship or unprofessional construction methods resulting in unacceptable curb and gutter will be cause for rejection of the finished work.
- e. Disturbed areas along all curbing shall be backfilled, stabilized, and grassed.

6.12 UNDERGROUND UTILITIES

6.12.1 All water and sanitary sewer utilities and storm drain facilities within the curbs shall be installed and the ditches backfilled and thoroughly compacted before any pavement or base is installed.

6.12.2 Once the base has been placed, all further installation of utilities under the roadway shall be bored or other wise comply with Section 7.5, Street Cuts.

6.12.3 All utility manholes and valve boxes shall be brought flush to the finished grade within the roadway section.

6.12.4 All utility locations shall adhere to the details found in the Standard Drawings.

6.13 SIDEWALKS

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6.13.1 General Requirements and Location Standards

Sidewalks shall be installed along all road frontages, as well as all subdivision streets (on one side), within the City limits with the exception of Satellite Boulevard. (Refer to Section 6.13.3 for design standards.) Sidewalks shall be installed prior to the issuance of a Certificate of Occupancy or Final Plat approval in accordance with this Subsection unless a performance bond is posted.

- a. Sidewalks shall be required adjacent to all internal subdivision streets on one side of the street opposite of the water line in all subdivisions, or other location as may be approved by the City.
- b. Sidewalks shall be required adjacent to and along the entire frontage of the entrance of the subdivision.
- c. Sidewalks shall generally be located in front of underground utility easements. Any other arrangement must be approved by the Director.
- d. Sidewalks shall also be required on all non-residential road frontages and subdivisions, with the exception of Satellite Boulevard.

6.13.2 Design Standards

- a. Sidewalks shall be located a minimum of 2 feet from the back of curb. Where no curbing exists or proposed road improvements are anticipated, sidewalks shall be placed in a location acceptable to the City.
- b. All new sidewalks shall match and provide a smooth transition to any existing sidewalks with no steps.
- c. Sidewalks shall be construction of concrete and shall be a minimum of 4 feet in width (for interior residential streets) and 5 feet in width (on non-residential streets or streets exterior to residential subdivisions). All sidewalks shall be 4 inches thick. Concrete shall be Class "A" (as defined by Georgia DOT) and have a strength of 3,000 psi at 28 days.

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- d. Curb ramps shall be provided at all termini and shall be a minimum of 4 feet in width excluding flared sides.
- e. Expansion joints shall be provided every 4 feet and at all property lines (extended) and driveway crossings.
- f. Disturbed areas resulting from sidewalk construction shall be backfilled, stabilized, and grassed 18 inches beyond the sidewalks width.
- g. All sidewalks must meet ADA design standards for curb accessibility.

6.13.3 Installation Requirements

- a. Sidewalks required on residential building lots shall be installed prior to issuance of a Certificate of Occupancy for each individual dwelling.
- b. Sidewalks required on common or recreation areas shall be installed prior to Final Plat approval.
- c. Sidewalks required on all other projects shall be installed prior to issuance of a Certificate of Occupancy or Certificate of Completion, as appropriate.

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**ARTICLE 7
UTILITIES AND EASEMENTS**

7.1 PLACEMENT OF UTILITIES

7.1.1 All authorized public underground utilities shall be located within the right-of-way of a public street or within an easement designated for such use. Within public street right-of-way, placement of the various authorized utilities (power, gas, cable TV, water and sewer) shall conform to the specific locations designated for such use by City of Suwanee, as illustrated in the Standard Drawings.

7.1.2 No other underground utilities, such as private lawn sprinkler systems, yard lighting, etc., shall be installed within a public right-of-way or easement except by authorization of the Department. Such authorization, if issued, shall require the applicant to assume all repair costs of the applicant's facilities should they be damaged during the course of installation, maintenance or repair of any of the public utilities authorized to occupy said right-of-way or easement.

7.2 WATER SYSTEM AND FIRE HYDRANTS

7.2.1 The developer shall install or have installed a system of water mains connected to a public water supply system in accordance with the requirements of the authority having jurisdiction.

7.2.2 All water mains, fire hydrants and appurtenances shall be designed in accordance with the policies, standards, plans and specifications of the Gwinnett County Fire Prevention Ordinance and the water system having jurisdiction. Where jurisdiction resides with the Gwinnett County Water System, the public water mains and appurtenances shall be designed by the County Water System upon submittal of the Development Plans for the project.

7.2.3 Within the City of Suwanee of Gwinnett County Water System jurisdiction, water mains and appurtenances shall be installed after installation of the curbs and gutters and before paving, or after staking of the curb line and submission to the Water System of an as-graded survey of the street profile accompanied by a certification executed by the owner as required by the Water System that the subgrade will not change. Water mains shall be relocated as necessary to meet Water System regulations prior to Approval of Development Conformance, if improperly located to final curb

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line or grade.

7.3 SANITARY SEWER DISPOSAL

7.3.1 Connection to an approved sewage disposal system shall be made, which may require the construction of an on-site system or the extension of public sanitary sewerage and associated appurtenances, as required under the Water Pollution Control Regulations of Gwinnett County or as required by the Gwinnett County Health Department.

7.3.2 No septic tanks shall be allowed if public sewer is available. All structures shall connect to public sewer when such sewer is available, in accordance with the Sewer Regulations of Gwinnett County. Sewer availability shall be determined by the Gwinnett County Water Pollution Control Division.

7.3.3 Lots with septic tanks and tile drain-field sewerage disposal systems shall contain the contiguous area outside of the 100-year floodplain as required by the Health Department.

7.3.4 The Health Department may require notation that certain lots must meet additional requirements prior to issuance of a building permit, or other wise limit development relative to Health Department regulations.

a. Such lots may include lots upon which adequate depth to water table must be demonstrated during the appropriate season of the year, adequate percolation tests must be performed, limitations upon the number of bedrooms in a dwelling, etc.,

b. No lot shall be included on a Final Plat which the Health Department is not confident will meet all Health Department regulations at a reasonable cost or within a reasonable period of time, except lots proposed to be served by sanitary sewer in subdivision where "dry" sewer has been installed. Such lots shall be noted - "Approval by Water Pollution Control for connection to sanitary sewer required prior to issuance of a building permit."

7.4 EASEMENTS

7.4.1 Temporary construction easements and permanent easements for public utilities, drainage or other public facilities shall be dedicated to Gwinnett County or City of Suwanee in accordance with City Requirements. All easements shall be stabilized in accordance with the Manual for Erosion and Sediment Control in Georgia.

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7.4.2 Drainage easements are required for any part of the drainage system which is designed to carry storm water runoff from more than one parcel, existing or proposed. Drainage easements for improved ditches, pipe construction, and detention facilities shall be cleared, opened, and stabilized at the time of development to control surface water run-off (See also Article 8). Run-off slope and sideslopes shall be specified by the Developer's Engineer, according to good engineering practice. Drainage easements for storm drain pipes that carry water shall be provided according to the minimum requirements found in Table 7-A below, and shall conform to City Standards. The minimum easement width shall be based on the pipe diameter (span) plus 2 feet plus two times the pipe invert depth. This value shall be rounded up to the nearest 5 feet. For pipes exceeding 16 feet in depth, a pre-submittal conference shall be held with the City to determine what additional requirements may be required. If concrete pipe is used, the minimum easement width shall be 20 feet and the widths in Table 7-A shall be used as building setback limits. The setback shall be shown on the plans.

TABLE 7-A
EASEMENTS FOR STORM DRAIN PIPES

PIPE SIZE (FT)	MAXIMUM PIPE INVERT DEPTH (FT)												
	4	5	6	7	8	9	10	11	12	13	14	15	16
1.25	20	20	20	20	20	25	25	30	30	30	35	35	40
1.5	20	20	20	20	20	25	25	30	30	30	35	35	40
2.0	20	20	20	20	20	25	25	30	30	30	35	35	40
2.5	20	20	20	20	25	25	25	30	30	35	35	35	40
3.0	20	20	20	20	25	25	25	30	30	35	35	35	40
3.5		20	20	20	25	25	30	30	30	35	35	40	40
4.0		20	20	20	25	25	30	30	30	35	35	40	40
4.5			20	25	25	25	30	30	35	35	35	40	40
5.0			20	25	25	25	30	30	35	35	35	40	40
5.5				25	25	30	30	30	35	35	40	40	40
6.0				25	25	30	30	30	35	35	40	40	40

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- 7.4.3 Permanent sanitary sewer easements shall be no less than 20 feet in width when no other parallel utilities are located therein. When warranted, temporary construction easement widths shall be determined by the Water Pollution Control Division.
- 7.4.4 A common easement for sanitary sewer and drainage purposes may be allowed if the pipes are parallel and at least 10 feet is provided between pipes (on center). The easement width shall be equal to the width shown in Table 7-A plus the width distance separating the pipes (minimum of 10 feet).
- 7.4.5 Drainage easements shall be provided where a development is traversed by or contains a water course, impoundment, detention facility, improved channel, floodplain, natural stream or channel. It shall conform substantially to the flooding limits of the 100 year storm based on fully developed conditions per the Land Use Plan, but shall be no less than 20 feet in width.
- 7.4.6 Drainage easements off the street right-of-way shall be clearly defined on the Final Plat. The property owner will be required to keep the easement free of obstruction in such a way as to assure the maximum designed flow at all times. The property owner shall not alter any drainage improvements without the prior written approval from the City. Structures, except driveways, shall not be constructed or erected in an easement without the prior written approval from the City. Driveways shall cross an easement as close to perpendicular as practical. Property owners may plant landscaping in an easement that is piped; however, the City is not responsible for replacing the landscape material located in the easement when it is removed to maintain the drainage system.
- 7.4.7 All drainage, sewer, access or other easements which were required to be cleared shall be fine graded and grassed within 10 days of completing construction work. The use of sediment control measures may be required to protect the area until a comprehensive vegetative cover is obtained.
- 7.5 STREET CUTS
- 7.5.1 All utility construction plans within County or City right-of-way shall be reviewed and approved by the Department before construction begins.

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Street cuts shall not be allowed unless deemed absolutely necessary due to the presence of rock, the need to tap into an existing line beneath the road surface, or other circumstance which makes boring impossible or infeasible.

- 7.5.2 No street cut shall be authorized until such Street Cut Fees have been paid.
- 7.5.3 If approved, all trenches shall be backfilled and compacted the same day the trench is opened.
 - a. Trenches under the paving shall be returned to 95% compaction.
 - b. Trenches elsewhere shall be returned to 90% compaction.
 - c. See Section 6.7 for trench compaction and test requirements.
- 7.5.4 All trenches under paving shall be concreted with 8" of Class "A" concrete base and 12 inch of type "E" or "F" wearing course asphalt is to be spread.
 - a. The paving cut shall be widened to a minimum of 9" beyond the edges of the trench.
 - b. The edges of the paving cut shall be smooth.
- 7.5.5 Contact the Department of Public Utilities for public utility extension information from the existing to the proposed development. Contact the Gwinnett County Department of Transportation or City of Suwanee at least 24 hours in advance of closure of traffic lanes.