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SPECIAL CALLED COUNCIL MEETING AGENDA

Mike Mason, Mayor

Phil Sadd – Post 1, Council Member
James Lowe – Post 2, Council Member
Alex Wright – Post 3, Council Member
Jeanne Aulbach – Post 4, Council Member
Lorri Christopher – Post 5, Council Member
Weare Gratwick – Post 6, Council Member

January 29, 2013 **COUNCIL AGENDA** **7:00 PM**

PEACHTREE CORNERS CITY HALL
147 TECHNOLOGY PARKWAY, PEACHTREE CORNERS, GA 30092

A) CALL TO ORDER

B) ROLL CALL

C) PLEDGE OF ALLEGIANCE

D) MAYOR'S OPENING REMARKS

E) CONSIDERATION OF MINUTES – January 15, 2013 City Council
January 22, 2013 City Council Meeting

F) CONSIDERATION OF MEETING AGENDA

G) PUBLIC COMMENTS

H) CONSENT AGENDA - No Items

I) REPORTS AND PRESENTATIONS

D. Wheeler »Update on Community Development Planning Issues

J) NEW BUSINESS

1. Oath Swearing in of Code Enforcement Officer Walter Osorio.

2. 02013-01-01 **SECOND READ** and Consideration of an Ordinance Adopting by Reference, and Amending Certain Portions of, the Georgia Code of Regulations, Comprising the International Building Codes, 2006 Edition; Chapter 1 Administration.

3. **O2013-01-02** **SECOND READ** and Consideration of an Ordinance of the City of Peachtree Corners, Georgia, Adopting by Reference, and Amending Certain Portions of, the Gwinnett County Development Regulations in Order to Establish a Document Entitled 'The City of Peachtree Corners Development Regulations.'

4. **02013-01-03** **SECOND READ** and Consideration of an Ordinance of the City of Peachtree Corners, Georgia, Adopting by Reference, and Amending Certain Portions of, the Gwinnett County Floodplain Management Ordinance in Order to Establish a Document Entitled 'The City of Peachtree Corners Floodplain Regulations.'

5. **02013-01-04** **SECOND READ** and Consideration of an Ordinance of the City of Peachtree Corners, Georgia, Adopting by Reference, and Amending Certain Portions of, the Gwinnett County Buffer, Landscape, and Tree Ordinance in Order to Establish a Document Entitled 'The City of Peachtree Corners Buffer, Landscape and Tree Regulations.'

6. **R2013-01-03** A Resolution to Adopt and Approve the Regulatory Fees for the City of Peachtree Corners, GA for Commercial Solid Waste Collection and Disposal Service and Commercial Recovered Materials Collection Services as Provided in the City of Peachtree Corners Code of Ordinances.

7. **R2013-01-04** A Resolution of Intent for the City of Peachtree Corners to adopt Floodplain Management Regulations, a Flood Damage Prevention Ordinance, and to participate in the National Flood Insurance Program.

K) OTHER BUSINESS

L) EXECUTIVE SESSION

M) ADJOURNMENT

DRAFT COPY

CITY OF PEACHTREE CORNERS
COUNCIL MEETING
January 15, 2013, @ 7:00PM

The Mayor and Council of the City of Peachtree Corners held a Council Meeting on Tuesday, January 22, 2013 at 7:00 PM. The meeting was held at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. The following were in attendance:

Mayor	Mike Mason
Council Member	Phil Sadd – Post 1
Council Member	James Lowe – Post 2
Council Member	Alex Wright – Post 3
Council Member	Jeanne Aulback – Post 4
Council Member	Lorri Christopher – Post 5
Council Member	Weare Gratwick – Post 6
City Attorney	Bill Riley
City Manager	Julian Jackson
City Clerk	Kym Chereck

PLEDGE OF ALLEGIANCE: Mayor Mason led the Pledge of Allegiance.

MAYOR'S OPENING COMMENTS: Mayor Mason commented on the property located opposite the Forum. These remarks are attached to the minutes.

MINUTES:

MOTION TO APPROVE THE MINUTES FROM THE DECEMBER 18, 2012 COUNCIL MEETING.
By: Council Member Gratwick
Seconded by: Council Member Christopher
Vote: (7-0) (Gratwick, Christopher, Mason, Sadd, Lowe, Wright, Aulbach)

MOTION TO APPROVE THE MINUTES FROM THE DECEMBER 21, 2012 SPECIAL CALLED MEETING.
By: Council Member Christopher
Seconded by: Council Member Wright
Vote: (7-0) (Christopher, Wright, Mason, Sadd, Lowe, Aulbach, Gratwick)

AGENDA CONSIDERATION: Mayor Mason informed the Council and public that he would like to reschedule the January 22, 2013 Council meeting to

January 29, 2013. Mayor Mason stated that the reason for the change in date was due to the fact that on January 22, 2013, the Gwinnett County Commission will be recognizing the Norcross Football Team on their State Championship, and they have invited the Mayor and Council to attend.

MOTION TO MOVE THE MEETING FROM JANUARY 22, 2013 TO JANUARY 29, 2103.
By: Council Member Lowe
Seconded by: Council Member Sadd
Vote: (7-0) (Lowe, Sadd, Mason, Wright, Aulbach, Christopher, Gratwick)

PUBLIC COMMENT: No Public Comments made.

CONSENT AGENDA: No Consent Agenda Items.

REPORTS and PRESENTATIONS: Community Development Director, Diana Wheeler, provided her report on staff activities that occurred during January 4, 2013 thru January 10, 2013. These activities included, among other items, meetings with various vendors, work on the Business License certificate form, a Planning Commission meeting which reviewed two items, and coordination with Pond on the Comprehensive Plan.

City Manager, Julian Jackson, discussed the proposed Resolution concerning the Commercial Sanitation Fees. Mr. Jackson stated that he Resolution would be on the agenda for the January 29, 2013 meeting.

NEW BUSINESS:

O2013-01-01
First Read and Consideration of an Ordinance Adopting by Reference, and Amending Certain Portions of, the Georgia Code of Regulations, Comprising the International Building Codes, 2006 Edition; Chapter 1 Administration.

R2013-01-01
Discussion and Consideration of a Resolution Adopting and Approving the Schedule of Fees for Building Permits and Related Fees in the City of Peachtree Corners, Georgia.

Mrs. Wheeler gave a cost comparison of Peachtree Corners fees as compared to surrounding Cities and informed the Council that this Resolution would ensure that Peachtree Corners would be business friendly, and customer service

friendly.

MOTION TO APPROVE R2013-01-01, A RESOLUTION ADOPTING AND APPROVING THE SCHEDULE OF FEES FOR BUILDING PERMITS AND RELATED FEES IN THE CITY OF PEACHTREE CORNERS, GEORGIA.
By: Council Member Sadd
Seconded by: Council Member Christopher
Vote: (7-0) (Sadd, Christopher, Mason, Lowe, Wright, Aulbach, Gratwick)

R2013-01-02
Consideration of a Resolution to Adopt and Approve the Calling of 2013 Elections and to Fix and Publish the Qualifying Fees.

Mr. Jackson informed the Council that this Resolution establishes the qualifying fees and qualifying dates for the City of Peachtree Corners, and furthermore, that it would need to be adopted by February 1, 2013. The Posts that are up for election are Posts 2, 4 and 6; and the qualifying fee for each seat is $240.

MOTION TO APPROVE R2013-01-02, A RESOLUTION TO ADOPT AND APPROVE THE CALLING OF 2013 ELECTIONS AND TO FIX AND PUBLISH THE QUALIFYING FEES.
By: Council Member Christopher
Seconded by: Council Member Wright
Vote: (7-0) (Christopher, Wright, Mason, Sadd, Lowe, Aulbach, Gratwick)

O2013-01-02
First Read and Consideration of an Ordinance of the City of Peachtree Corners, Georgia, Adopting by Reference, and Amending Certain Portions of, the Gwinnett County Development Regulations in Order to Establish a Document Entitled 'The City of Peachtree Corners Development Regulations.'

02013-01-03
First Read and Consideration of an Ordinance of the City of Peachtree Corners, Georgia, Adopting by Reference, and Amending Certain Portions of, the Gwinnett County Floodplain Management Ordinance in Order to Establish a Document Entitled 'The City of Peachtree Corners Floodplain Regulations.'

02013-01-04
First Read and Consideration of an Ordinance of the City of Peachtree Corners, Georgia, Adopting by Reference, and Amending Certain Portions

of, the Gwinnett County Buffer, Landscape, and Tree Ordinance in Order to Establish a Document Entitled 'The City of Peachtree Corners Buffer, Landscape and Tree Regulations.'

EXECUTIVE SESSION:

MOTION TO GO INTO EXECUTIVE SESSION FOR THE DISCUSSION OF ONE (1) REAL ESTATE MATTER.
By: Council Member Lowe
Seconded by: Council Member Christopher
Vote: (7-0) (Lowe, Christopher, Mason, Sadd, Wright, Aulbach, Gratwick)

MOTION TO COME OUT OF EXECUTIVE SESSION.
By: Council Member Christopher
Seconded by: Council Member Wright
Vote: (7-0) (Christopher, Wright, Mason, Sadd, Lowe, Aulbach, Gratwick)

ADJOURNMENT:

MOTION TO ADJOURN.
By: Council Member Gratwick
Seconded by: Council Member Christopher
Vote: (7-0) (Gratwick, Christopher, Mason, Sadd, Lowe, Wright, Aulbach)

Approved,

_____

Mike Mason, Mayor

Attest:

_____

Kymberly Chereck, City Clerk

(Seal)

ATTACHMENT – MAYOR'S OPENING COMMENTS

An article recently appeared in the Patch that included some misinformation about the property located across from the Forum. This article has, unfortunately, perpetuated discussion based on that erroneous information. First, let me assure you that we all share a desire to see quality development across from the Forum and we also share a complete lack of interest in seeing another apartment complex developed there. While we have made, and continue to make, concerted efforts to prevent that from happening, we're dealing with some significant constraints that were handed down to us.

Let me give you the facts:

- This property was zoned for apartments as part of a legal settlement between Roberts Properties and Gwinnett County. The US District Court for the Northern District of Georgia issued a consent order on Oct. 22, 2001 *mandating* that the property be rezoned RM-13, specifically for apartments.
- The County Commission had denied Roberts request for rezoning; but after the court ruling, the County not only had to rezone the property for apartments, but had to pay Mr. Roberts $390,000 to cover his legal fees.
- As a result of this ruling, the City has no legal basis to change that zoning decision or in any way deny the owner their property rights. As much as we might want to, the City Council cannot overturn a court decision.
- However, the City can try to mitigate some of the impacts of this development.

For example, the original property was one large parcel zoned for approximately 297 apartments. At this time, the property is planned for development as 3 parcels, 2 of which are now designated as commercial. Those commercial developments will reduce the overall number of apartments that may be built on the remaining parcel which is still zoned for apartments. We have held, and will continue to hold, many meetings with the proposed purchaser in an effort to persuade them to develop a project more acceptable to our community. We are also seeking parties who might be interested in partnering with the proposed purchaser to change the nature of the development. These efforts will continue until there is no time left to us. You can be assured that we will do everything that we can, *legally,* concerning this property. But also understand that we are just as disappointed that there are limitations to what we can legally do.

The article in the Patch states that the apartment plans will have to be reviewed by the Planning Commission and will ultimately need the City Council's approval to proceed. This is just not true. If the plans meet the building and zoning code requirements, the city will be obligated to issue a development permit. We don't have the ability to reject a permit application if all the codes have been met.

DRAFT COPY

CITY OF PEACHTREE CORNERS
COUNCIL MEETING
January 22, 2013, @ 7:30 AM

The Mayor and Council of the City of Peachtree Corners held a Council Meeting on Tuesday, January 22, 2013 at 7:30 AM. The meeting was held at City Hall, 147 Technology Parkway, Suite 200, Peachtree Corners, GA, 30092. The following were in attendance:

Mayor	Mike Mason
Council Member	Phil Sadd – Post 1
Council Member	James Lowe – Post 2
Council Member	Alex Wright – Post 3
Council Member	Jeanne Aulback – Post 4
Council Member	Lorri Christopher – Post 5
Council Member	Weare Gratwick – Post 6
City Attorney	Bill Riley
City Manager	Julian Jackson
City Clerk	Kym Chereck

EXECUTIVE SESSION:

MOTION TO GO INTO EXECUTIVE SESSION FOR THE DISCUSSION OF ONE (1) REAL ESTATE MATTER.
By: Council Member Christopher
Seconded by: Council Member Aulbach
Vote: (7-0) (Christopher, Aulbach, Mason, Sadd, Lowe, Wright, Gratwick)

Council Member Aulback departed meeting during executive session.

MOTION TO COME OUT OF EXECUTIVE SESSION.
By: Council Member Christopher
Seconded by: Council Member Sadd
Vote: (6-0) (Christopher, Sadd, Mason, Lowe, Wright, Gratwick)

ADJOURNMENT:

MOTION TO ADJOURN.
By: Council Member Sadd
Seconded by: Council Member Wright
Vote: (6-0) (Sadd, Wright, Mason, Lowe, Christopher, Gratwick)

DRAFT COPY

Approved,

_____

Mike Mason, Mayor

Attest:

_____

Kymberly Chereck, City Clerk

(Seal)

Memo

TO: Mayor and Council

CC: Julian Jackson, City Manager

FROM: Diana Wheeler, Community Development Director

SUBJECT: Staff Activity Report

The following is a summary of Staff activity during the period of 1/14/13 – 1/25/13.

A. Meetings with:
1. Office equipment vendors for plan scanner and credit card reader
2. Newell Recycling to review site for February public hearing
3. Community volunteer to discuss mapping locations for city limit signs
4. Consultants for Development Services to discuss forms, procedures, ordinances and other issues.
5. Developers to discuss specific project

B. Worked on finalizing applications including commercial and residential building permits, sign permits, and temporary activity permits.

C. Signed an Information Sharing agreement with Gwinnett County GIS Department and worked with GIS consultant to identify specific data to be acquired from the county and program of work for the City. First project: development of a city street list that includes every street with address ranges.

D. Invitations sent to Comprehensive Plan Advisory Committee members. First meeting will be Wednesday, 1/30/13.

E. Prepared Floodplain resolution pursuant to GA Dept. of Natural Resources so that City residents will maintain eligibility for flood insurance.

F. Responded to phone calls and e-mails from residents, business people, and others.

Gwinnett County Activity Report

A. Eleven permits were issued.
B. One Development Plan was filed (Wesleyan athletic field).

GWINNETT COUNTY

DEPARTMENT OF PLANNING AND DEVELOPMENT
ONE JUSTICE SQUARE
446 West Crogan Street, Lawrenceville, Georgia 30046
Phone: 678.518.6020 Fax: 678.518.6028
678.518.6277 24 Hour Inspection Requests
www.gwinnettcounty.com

PERMITS ISSUED BETWEEN 1/14/2013 AND 1/18/2013 FOR THE CITY OF PEACHTREE CORNERS

CASE NUMBER	**BLD2012-08312**	**PARCEL # 6286 140**	**ISSUED ON 1/18/2013**		**PROJECT:**	**WESLEYAN SCHOOL WARREN HALL ADDITION & RENOVATION**
	437 Alterations (Non-Res),	Interior Finish	**CONTRACTOR:**	NEW SOUTH CONSTRUCTION COMPANY	**ZONING DISTRICT:**	OBP
CENSUS TRACT:	050308			1132 WEST PEACHTREE ST	**NO. OF UNITS:**	
LOT:					**ESTIMATED COST:**	$2,250,000.00
BLOCK:				ATLANTA, GA 30309	**HEATED AREA:**	6080
SUBDIVISION:				404.443.4000	**UNHEATED AREA:**	
ST ADDRESS, CITY:	5405 SPALDING DR, NORCROSS		**TENANT:**	WESLEYAN SCHOOL	**Sewer/Septic:**	Sewer
COMM/RES:	Commercial		**USE:**	School	**Payment Received:**	$2782.00
			TYPE OF WORK:	Additions		
WORK DESC:	ADDITION, WESLEYAN SCHOOL WARREN HALL, PLAT FILE 118-12 ROLLED					

CASE NUMBER	**BLD2012-08591**	**PARCEL # 6286 140**	**ISSUED ON 1/18/2013**		**PROJECT:**	**WESLEYAN SCHOOL CLEGHORN HALL ADDITION & RENOVATION**
	437 Alterations (Non-Res),	Interior Finish	**CONTRACTOR:**	NEW SOUTH CONSTRUCTION COMPANY	**ZONING DISTRICT:**	OBP
CENSUS TRACT:	050308			1132 WEST PEACHTREE ST	**NO. OF UNITS:**	
LOT:					**ESTIMATED COST:**	$3,352,000.00
BLOCK:				ATLANTA, GA 30309	**HEATED AREA:**	6200
SUBDIVISION:	INTERLOCHEN			404.443.4000	**UNHEATED AREA:**	
ST ADDRESS, CITY:	5405 SPALDING DR, NORCROSS		**TENANT:**	WESLEYAN SCHOOL	**Sewer/Septic:**	
COMM/RES:	Commercial		**USE:**	School	**Payment Received:**	$2830.00
			TYPE OF WORK:	Additions		
WORK DESC:	ADDITION, WESLEY SCHOOL CLEGHORN HALL, PLAT FILE 117-12 ROLLED					

CASE NUMBER	BLD2012-10682	PARCEL # 6285 028	ISSUED ON 1/17/2013	PROJECT: TECHNOLOGY PARK, ZIRKONZAHN		
	437 Alterations (Non-Res),	Interior Finish	CONTRACTOR:	ARCHIMETRIC DESIGN & CONSTRUCTION INC	ZONING DISTRICT:	M1
CENSUS TRACT:	050310			3453 HOLCOMB BRIDGE RD	NO. OF UNITS:	
LOT:					ESTIMATED COST:	$100,000.00
BLOCK:				NORCROSS, GA 30092	HEATED AREA:	9750
SUBDIVISION:				770.446.8747	UNHEATED AREA:	
ST ADDRESS, CITY:	160 TECHNOLOGY PKWY, NORCROSS		TENANT:	ZIRKONZAHN USA	Sewer/Septic:	Sewer
COMM/RES:	Commercial		USE:	Commercial Manufacturing	Payment Received:	$950.00
			TYPE OF WORK:	Interior Finish		
WORK DESC:	INTERIOR FINISH PERMIT, ZIRKONZAHN					

CASE NUMBER	BLD2012-11619	PARCEL # 6318 005	ISSUED ON 1/16/2013	PROJECT: JONES BRIDGE SQUARE, LA'MORE SALON		
	437 Alterations (Non-Res),	Interior Finish	CONTRACTOR:	JOHNSTON RESIDENTIAL LLC	ZONING DISTRICT:	C2
CENSUS TRACT:	050308			995 SHARON RD	NO. OF UNITS:	
LOT:					ESTIMATED COST:	$35,000.00
BLOCK:				CRAWFORDVILLE, GA 30631	HEATED AREA:	1400
SUBDIVISION:	undefined			404.557.3469	UNHEATED AREA:	
ST ADDRESS, CITY:	5075 PEACHTREE PKWY STE 103, DULUTH		TENANT:	LA'MORE SALON	Sewer/Septic:	Sewer
COMM/RES:	Commercial		USE:	Commercial Zoning C1,C2,C3	Payment Received:	$1050.00
			TYPE OF WORK:	Interior Finish		
WORK DESC:	INTERIOR FINISH, LA'MORE SALON, SUITE 103					

CASE NUMBER	BLD2013-00349	PARCEL # 6275 006	ISSUED ON 1/15/2013	PROJECT: ASHBY AT PEACHTREE CORNERS UNIT 6502		
	0/S Fire Repair, Sign, Above Ground Pool, Mech		CONTRACTOR:	ON CALL ELECTRIC	ZONING DISTRICT:	RM
CENSUS TRACT:	050317			PO BOX 343	NO. OF UNITS:	
LOT:					ESTIMATED COST:	$400.00
BLOCK:				AVONDALE ESTATES, GA 30002	HEATED AREA:	
SUBDIVISION:				678.898.1635	UNHEATED AREA:	
ST ADDRESS, CITY:	6520 PEACHTREE INDUSTRIAL BLVD UNIT 6502, NORCROSS		TENANT:	ASHBY AT PEACHTREE CORNERS	Sewer/Septic:	
COMM/RES:	Commercial		USE:	Apartments	Payment Received:	$30.00
			TYPE OF WORK:	Electrical Only		
WORK DESC:	ELECTRICAL ONLY PERMIT, METER BASE REPAIRS & RECONNECT					

CASE NUMBER	BLD2013-00365	PARCEL # 6305D085	ISSUED ON 1/15/2013	PROJECT: MEADOW GREEN 238-147 B	
	0/S Fire Repair, Sign, Above Ground Pool, Mech		CONTRACTOR:	UNIVERSAL HEATING & COOLING	ZONING DISTRICT: RZT
CENSUS TRACT:	050315			1465 BEAVER RUIN RD	NO. OF UNITS:
LOT:	238-147				ESTIMATED COST: $3,200.00
BLOCK:	B			NORCROSS, GA 30093	HEATED AREA:
SUBDIVISION:	MEADOW GREEN			770.908.8488	UNHEATED AREA:
ST ADDRESS, CITY:	3808 MEADOW CREEK DR, NORCROSS		TENANT:		Sewer/Septic:
COMM/RES:	Residential		USE:	Townhouses	Payment Received: $30.00
			TYPE OF WORK:	Mechanical Only	
WORK DESC:	HVAC ONLY, REPLACE HEAT PUMP SYSTEM				

CASE NUMBER	BLD2013-00391	PARCEL # 6332 330	ISSUED ON 1/15/2013	PROJECT: SPRINGFIELD 8-C	
	0/S Fire Repair, Sign, Above Ground Pool, Mech		CONTRACTOR:	GEORGIA DELTA MECHANICAL INC	ZONING DISTRICT: R100
CENSUS TRACT:	050322			2486 LAWRENCEVILLE HWY	NO. OF UNITS:
LOT:	008			STE 102	ESTIMATED COST: $219.00
BLOCK:	C			LAWRENCEVILLE, GA 30044	HEATED AREA:
SUBDIVISION:	SPRINGFIELD			770.237.8572	UNHEATED AREA:
ST ADDRESS, CITY:	4315 SPRINGFIELD DR, NORCROSS		TENANT:		Sewer/Septic:
COMM/RES:	Residential		USE:	Single Family Detached Dwelling	Payment Received: $30.00
			TYPE OF WORK:	Plumbing Only	
WORK DESC:	PLUMBING ONLY, REPLACE WATER HEATER				

CASE NUMBER	BLD2013-00392	PARCEL # 6304 007	ISSUED ON 1/15/2013	PROJECT: SPALDING WOODS	
	0/S Fire Repair, Sign, Above Ground Pool, Mech		CONTRACTOR:	VIII FS NORCROSS	ZONING DISTRICT: OI
CENSUS TRACT:	050310			591 W. PUTNAM AVENUE	NO. OF UNITS:
LOT:					ESTIMATED COST: $0.00
BLOCK:				GREENWICH, CT 06830	HEATED AREA:
SUBDIVISION:				845.268.2366	UNHEATED AREA:
ST ADDRESS, CITY:	3850 HOLCOMB BRIDGE RD, NORCROSS		TENANT:		Sewer/Septic:
COMM/RES:	Registration		USE:	Commercial, Office & Industrial	Payment Received: $100.00
			TYPE OF WORK:	Registration FC	
WORK DESC:	FORECLOSED PROPERTY REGISTRATION				

CASE NUMBER	BLD2013-00393	PARCEL # 6318 077	ISSUED ON 1/15/2013	PROJECT: WILLIAMSPORT 19-A	
	0/S Fire Repair, Sign, Above Ground Pool, Mech	CONTRACTOR:	GEORGIA DELTA MECHANICAL INC	ZONING DISTRICT:	R100
CENSUS TRACT:	050308		2486 LAWRENCEVILLE HWY	NO. OF UNITS:	
LOT:	019		STE 102	ESTIMATED COST:	$219.00
BLOCK:	A		LAWRENCEVILLE, GA 30044	HEATED AREA:	
SUBDIVISION:	WILLIAMSPORT		770.237.8572	UNHEATED AREA:	
ST ADDRESS, CITY:	5013 WILLIAMSPORT DR, NORCROSS	TENANT:		Sewer/Septic:	
COMM/RES:	Residential	USE:	Single Family Detached Dwelling	Payment Received:	$30.00
		TYPE OF WORK:	Plumbing Only		
WORK DESC:	PLUMBING ONLY, REPLACE WATER HEATER				

CASE NUMBER	BLD2013-00481	PARCEL # 6304 227	ISSUED ON 1/17/2013	PROJECT: 13-C	
	0/S Fire Repair, Sign, Above Ground Pool, Mech	CONTRACTOR:	ESTES HEATING & AIR	ZONING DISTRICT:	R100
CENSUS TRACT:	050310		3981 TRADE POST BLVD	NO. OF UNITS:	
LOT:	013			ESTIMATED COST:	$13,759.00
BLOCK:	C		ATLANTA, GA 30354	HEATED AREA:	
SUBDIVISION:	PEACHTREE FOREST		404.366.0509	UNHEATED AREA:	
ST ADDRESS, CITY:	3858 RAINFOREST CIR, NORCROSS	TENANT:		Sewer/Septic:	
COMM/RES:	Residential	USE:	Single Family Detached Dwelling	Payment Received:	$83.00
		TYPE OF WORK:	Mechanical Only		
WORK DESC:	HVAC ONLY, REPLACE SYSTEM				

CASE NUMBER	BLD2013-00501	PARCEL # 6318 265	ISSUED ON 1/18/2013	PROJECT: WELLINGTON LAKE 316	
	0/S Fire Repair, Sign, Above Ground Pool, Mech	CONTRACTOR:	FTL ELECTRIC LLC	ZONING DISTRICT:	R100
CENSUS TRACT:	050308		1051 ALBRIGHT RD	NO. OF UNITS:	
LOT:	316			ESTIMATED COST:	$300.00
BLOCK:	A		ROCK HILL, SC 29730	HEATED AREA:	
SUBDIVISION:	WELLINGTON LAKE		404.388.8511	UNHEATED AREA:	
ST ADDRESS, CITY:	4994 YOUNG ARTHUR TER, DULUTH	TENANT:		Sewer/Septic:	
COMM/RES:	Residential	USE:	Single Family Detached Dwelling	Payment Received:	$30.00
		TYPE OF WORK:	Electrical Only		
WORK DESC:	ELECTRICAL ONLY, SINGLE CIRCUIT UPGRADE FOR ELECTRIC CAR CHARGER				

TOTAL PERMITS ISSUED: 11

Gwinnett County
Department of Planning & Development

Development Cases Issued/Approved

From 1/14/2013 to 1/18/2013

Commercial Development Permit

CASE NUMBER :	CDP2012-00123	ADDRESS :	5405 SPALDING DR, NORCROSS, GA 30092	PROJECT :	WESLEYAN SCHOOL
COMMISSION DIST:	2	TOTAL ACRES :	83.99	DEVELOPER	DESIGNER
PARCEL # :	6286 140	DENSITY :	N/A	BOBBY CANDLER THE WESLEYAN SCHOOL 5405 SPALDING DRIVE NORCROSS, GA 30092	KEVIN HENDRIX LBYD, INC 900 CIRCLE 75 PARKWAY, STE 1300 ATLANTA, GA 30339
STATUS :	ISSUED	NO. OF LOTS :	N/A		
RECEIVED ON :	7/31/2012	OPEN SPACE PROVIDED :	N/A		
ISSUED ON :	1/14/2013	OPEN SPACE % OF TOAL :	N/A		
UNIT :	N/A	PHASE :	N/A		
POD :	N/A	CITY LIMITS :	Yes		

PROJECT DESCRIPTION : CITY OF PEACHTREE CORNERS, SCHOOL, O-I PER RZ1996-00013 & RZ1984-00277, 12,280 SQ FT ADDITION, 83.99 ACRES, 9.65 DISTURBED ACRES, SEWER

CASE NUMBER :	CDP2012-00179	ADDRESS :	1725 BRECKINRIDGE PLZ, DULUTH, GA 30096-8982	PROJECT :	VIASAT
COMMISSION DIST:	1	TOTAL ACRES :	16.74	DEVELOPER	DESIGNER
PARCEL # :	7076 001	DENSITY :	N/A	GARY DORRIS VIASAT INC. 6155 EL CAMINO REAL CARLSBAD, GA 92009	KYLE SHARPE PRECISION PLANNING INC 400 PIKE BLVD LAWRENCEVILLE, GA 30046
STATUS :	ISSUED	NO. OF LOTS :	N/A		
RECEIVED ON :	12/11/2012	OPEN SPACE PROVIDED :	N/A		
ISSUED ON :	1/17/2013	OPEN SPACE % OF TOAL :	N/A		
UNIT :	N/A	PHASE :	N/A		
POD :	N/A	CITY LIMITS :	No		

PROJECT DESCRIPTION : OFFICE, M-2, 63,030 SQ FT ADDITION, 2 STORY, 16.74 ACRES, 5.70 DISTURBED ACRES, 165 NEW PARKING SPACES, SEWER

TOTAL FOR : Commercial Development Permit	**NO. OF CASES : 2**	**NO. OF LOTS : 0**	**TOTAL ACRES : 100.73**

Exemption Plat

CASE NUMBER :	XPL2013-00001	ADDRESS :	2671 IVY CREEK RD, BUFORD, GA 30519	PROJECT :	PAWSON, JAMES & KATHLEEN (XPL)
COMMISSION DIST:	4	TOTAL ACRES :	3.00	DEVELOPER	DESIGNER
PARCEL # :	7142 170	DENSITY :	N/A	JAMES & KATHLEEN PAWSON 3923 THOMPSON LAKE DRIVE BUFORD, GA 30519	BRIAN SUTHERLAND GEORGIA PREMIER LAND SURVEYING, INC. 3010 HAMILTON MILL ROAD BUFORD, GA 30519
STATUS :	APPROVED	NO. OF LOTS :	1		
RECEIVED ON :	1/15/2013	OPEN SPACE PROVIDED :	N/A		
ISSUED ON :	1/17/2013	OPEN SPACE % OF TOAL :	N/A		
UNIT :	N/A	PHASE :	N/A		
POD :	N/A	CITY LIMITS :	No		

PROJECT DESCRIPTION : PAWSON, JAMES & KATHLEEN (XPL), RA-200, 1 LOT, 3.00 ACRES, SEPTIC, WALK-THRU

TOTAL FOR : Exemption Plat	**NO. OF CASES : 1**	**NO. OF LOTS : 1**	**TOTAL ACRES : 3.00**

GRAND TOTALS	**NO. OF CASES : 3**	**NO. OF LOTS : 1**	**TOTAL ACRES : 103.73**

OATH OF OFFICE
CODE ENFORCEMENT
CITY OF PEACHTREE CORNERS, GEORGIA

"I, **Walter Osorio,** do solemnly affirm that I will faithfully perform the duties Code Enforcement Officer of the City of Peachtree Corners, Georgia and that I will support and defend the Charter thereof as well as the Constitution and laws of the State of Georgia and the United States of America."

_____
Walter Osorio
Code Enforcement Officer

So sworn and given this ____ day of _____, 2013 by:

_____
William Riley, Attorney
City of Peachtree Corners

(Seal)

STATE OF GEORGIA
GWINNETT COUNTY **ORDINANCE 2013-01-01**

AN ORDINANCE OF THE CITY OF PEACHTREE CORNERS, GEORGIA, ADOPTING BY REFERENCE, AND AMENDING CERTAIN PORTIONS OF, THE GEORGIA CODE OF REGULATIONS, COMPRISING THE INTERNATIONAL BUILDING CODES, 2006 EDITION; CHAPTER 1 ADMINISTRATION

WHEREAS, Georgia State Law provides that ordinances and codes of the Federal, State, or any agency of either of them, may be adopted by reference; and

WHEREAS, the Mayor and City Council, in order for an orderly administration of enforcement of standard codes adopted by the State find it necessary to adopt certain State Codes, including the International Building Code, 2006 Edition, by reference; and

WHEREAS, and the City may adopt said standard Codes, including the International Building Code, and amend same for use as required by the City and on the basis of local climatic, geological, or topographical conditions.

NOW, THEREFORE, the Mayor and City Council of the City of Peachtree Corners, does hereby ordain as follows:

SECTION 1. INTERNATIONAL CODES as amended, known as the MANDATORY GEORGIA STATE MINIMUM CODES, including INTERNATIONAL BUILDING CODE, CHAPTER 1 ADMINISTRATION PROVISIONS ADOPTED

(a) Except as hereinafter provided, Georgia State Minimum Codes and the International Building Code, Chapter 1 Administration, 2006 Edition published by the International Code Council, referenced herein is adopted as the Building Administration Code of the City of Peachtree Corners for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City of Peachtree Corners, and providing for issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of such Georgia Building Code, 2006 Edition, Chapter 1 published by the International Code Council, except as amended herein, all of which are on file in the office of the City Clerk, City of Peachtree Corners, are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

A copy of the Building Codes of the City of Peachtree Corners shall be maintained in the office of the City Clerk in the City of Peachtree Corners, and shall be made available for public inspection while these Codes is in force.

VOTE: □Y□N□A **Sadd** / □Y□N□A **Lowe** / □Y□N□A **Wright** / □Y□N□A **Mason** / □Y□N□A **Aulbach** / □Y□N□A **Christopher** / □Y□N□A **Gratwick**

(b) The International Building Code 2006 Edition, Chapter 1 Administration, as adopted herein, is amended as follows:

I. B .C. CHAPTER 1 ADMINISTRATION. Chapter 1 of the International Building Code 2006 edition is hereby adopted and revised by deleting Sections 105.1.1, 105.1.2, and 112.3 and amending Sections 101.1, 101.4.1, 101.4.4, 107.3, 108.4, 112.1, and adding Sections 105.4.1, 105.4.2, 106.3.1.1to read as follows:

SECTION 101 GENERAL.

101.1 Title. The provisions embraced within the following sections along with the latest available edition of the International Building Code, as amended and adopted by the State of Georgia, published by the International Code Council, a copy of which is on file in the office of the clerk of council, are hereby adopted as "The Building Code of Peachtree Corners, Georgia," hereinafter referred to as "this code."

101.4.1 Electrical. The Provisions of the National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto.

101.4.4 Plumbing. The Provisions of the *International Plumbing Code* shall apply to the installation, alterations, repair, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

SECTION 105 PERMITS

Delete in its entirety Section 105.1.1: Annual permit and Section 105.1.2: Annual Permit Records.

105.4.1 Requirements for Licensure. It shall be the duty of every contractor who shall make contracts for the installation or repairs of buildings, structures, electrical, gas, mechanical, sprinkler or plumbing systems in the City of Peachtree Corners, for which a permit is required, to comply with state or local rules and regulations concerning licenses which the City of Peachtree Corners or another applicable governing entity may have adopted. In such case that the state requires a contractor to have obtained a state license before they are permitted to perform work, the contractor shall supply the City with their license number before receiving a permit for work to be performed.

105.4.2 Supervision of Work. Whenever a permit is issued in reliance upon an affidavit or whenever the work to be covered by a permit

involves installation under conditions which, in the opinion of the city, are hazardous or complex, the Department of Community Development shall require that the architect or engineer who signed the affidavit or prepared the drawings or computations supervise such work. In addition, they shall be responsible for conformity with the permit, provide copies of inspection reports as inspections are performed and, upon completion, make and file with the building official a written affidavit that the work has been done in conformity with the plans and with the structural provisions of the construction codes. In the event such architect or engineer is not available, the owner shall employ in his stead a competent person or agency whose qualifications are reviewed by the building official.

SECTION 106 CONSTRUCTION DOCUMENTS

106.3.1.1 Acceptance of a Sworn Affidavit. The City Community Development Department may accept a sworn affidavit from a registered architect or engineer stating that the plans submitted conform to the construction codes. For buildings and structures, the affidavit shall state that the plans conform to the laws as to egress, type of construction and general arrangement and if accompanied by drawings showing the structural design, and by a statement that the plans and design conform to the requirements of the construction codes as to strength, stresses, strains, loads and stability. The community development department may, without any examination or inspection, accept such affidavit, provided the architect or engineer who made such affidavit agrees to submit to the building official, copies of inspection reports as inspections are performed and upon completion of the structure, electrical, gas, mechanical or plumbing systems a certification that the structure, electrical, gas, mechanical or plumbing system has been erected in accordance with the requirements of the construction codes. Where the community development department relies upon such affidavit, the architect or engineer shall assume full responsibility for the compliance with the provisions of the construction codes and other pertinent laws or ordinances.

SECTION 107 TEMPORARY STRUCTURES AND USES

107.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the *National Electrical Code.*

SECTION 108 FEES

108.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee in addition to the required permit fees.

SECTION 112 BOARDS OF APPEALS

112.1- General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be the Board of Zoning Appeals (BZA) of The City of Peachtree Corners and shall hold office in accordance with the Ordinances of the City. The board shall adopt rules of procedure for conducting its business.

Delete Section 112.3: Qualifications in its entirety.

SO ORDAINED AND EFFECTIVE, this ___ day of _____, 2013.

Approved:

_____
Mike Mason, Mayor

Attest:

_____
Kymberly Chereck, City Clerk

Approved as to Form:

_____
William F. Riley, City Attorney

VOTE: □Y□N□A **Sadd** / □Y□N□A **Lowe** / □Y□N□A **Wright** / □Y□N□A **Mason** / □Y□N□A **Aulbach** / □Y□N□A **Christopher** / □Y□N□A **Gratwick**

City of Peachtree Corners
Development Regulations

Adoption Date:

Effective Date:

Ordinance No.:

(Adapted from Gwinnett County Development Regulations originally adopted by Gwinnett County on January 5, 1988 and amended November 15, 2011)

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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 Peachtree Corners, 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 Gwinnett City.
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 incorporated area of Peachtree Corners, whether the 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.

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 Resolution of Peachtree Corners, or as defined in the City'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 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 - A Principal Arterial, Major Arterial, or Minor Arterial street as defined and designated in the Comprehensive Plan of Peachtree Corners.

"As-Built" Survey - See Record Drawing.

"Authorized registered professional" shall mean:
(1) a landscape architect who is licensed in the State of Georgia in accordance with O.C.G.A. §§ 43-23-1(2),(3); or,
(2) a land surveyor who possesses a current certificate of registration issued by the State of Georgia in accordance with O.C.G.A. §§ 43-15-2(6),(7) and 43-15-13; or,
(3) a professional engineer who possesses a current certificate of registration issued by in the State of Georgia in accordance with O.C.G.A. §§ 43-15-2(10),(11) and 43-15-9;
An authorized registered professional shall know and understand the limits of their professional expertise, certification, license or registration and shall not perform work which is outside of the scope of said professional expertise, certification, license or registration. An authorized registered professional shall be liable for complying with all state laws and rules and licensing board requirements that apply to

their particular profession, including ethical standards, and shall be liable for failure to meet the applicable standards of professional care. All documents and drawings submitted to Peachtree Corners by an authorized registered professional shall bear that person's certification, license, registration or seal, as appropriate. The certification, license, registration or seal of an authorized registered professional on documents and drawings submitted to Peachtree Corners shall certify that the documents and drawings comply with all applicable Peachtree Corners ordinances, rules and regulations and shall certify that the documents and drawings are based on personal knowledge of the conditions depicted thereon and that the accuracy and completeness of the documents and drawings have been verified by field inspection of the facilities depicted therein.

"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.

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 Peachtree Corners and recorded with the Clerk to Superior Court of Peachtree Corners.

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 Resolution. On corner lots, 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.

Comprehensive Plan - A plan summarizing and illustrating the adopted goals and objectives of the Mayor and Council regarding the future location and character of anticipated land uses, transportation, and other public facilities in Peachtree Corners. The term "Comprehensive Plan" includes component or functional plans for the City, 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 Gwinnett County 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.

City - Peachtree Corners, Georgia.

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

Department - The Department of Planning and Development of Peachtree Corners, Georgia.

Department of Transportation - The Peachtree Corners 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 Peachtree Corners 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 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 Development or his or her 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.

Erosion Control Regulations - The Peachtree Corners Soil Erosion and Sediment 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.

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 City'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 City's Fire Prevention and Life Safety Codes, and City 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 Peachtree Corners.

Flood Hazard Area - See Floodplain.

Floodplain - Those lands subject to flooding, that have at least a one percent probability of flooding

occurrence in any calendar year based on the basin being fully developed as shown on the current land use plat: i.e., the regulatory flood. See the 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 Peachtree Corners that authorizes clearing or grading activities on a site or 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.

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 - The City of Peachtree Corners Planning Commission.

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

Preliminary Plat - A drawing which shows the perimeter boundary, topography, lot 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.

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 Peachtree Corners for vehicular traffic or over which Peachtree Corners may hold a prescriptive easement for public access, and including designated and numbered U. S. and State Highways. 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 re-division 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. Lots that do not abut or are not directly across a public street from other subdivided lots shall be considered a separate distinct subdivision with a separate name. 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.

Subdivision Entrance – A public street, or publicly approved private street, that provides access to subdivided lots.

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 record.

Traffic Engineer - The designated head of the Traffic and Operations Division of the Gwinnett County Department of Transportation, or his/her designee.

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 Resolution 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 Peachtree Corners.

Water Resources Department - The Gwinnett County Department of Water Resources, which includes operations and programs for water, wastewater, water pollution control and stormwater; known previously as the Public Utilities Department.

Water System Division - A division of the Public Utilities Department charged with the responsibility for the design, installation, and maintenance of the public water supply and distribution system in unincorporated Peachtree Corners.

Watercourse - A channel with a defined bed and banks, including lakes, ponds, and marshes, and which meets the definition of watercourse in Section 391-3-7.01 of the Georgia Department of Natural Resources Regulations.

Wetlands – Those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. The ecological parameters for designating wetlands include hydric soils, hydrophytic vegetation, and hydrological conditions that involve a temporary or permanent source of water to cause soil saturation.

Zoning Resolution - The adopted Zoning Resolution of Peachtree Corners, Georgia, as amended from time-to-time.

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, nor subdivision plat, nor part thereof, shall be recorded before obtaining final approval from the Peachtree Corners Department of Planning and Development. Said approval shall be entered in writing on the Final Plat by the Director of the Department of Planning and Development. Said director is hereby authorized to accept such dedications of lands and public facilities on behalf of Peachtree Corners and to cause such dedications to be recorded, subject to ratification by the Mayor and Council.

3.3 TRANSFER OF LAND OWNERSHIP

3.3.1 Conditions Applicable To Title Transfers.

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 unincorporated Peachtree Corners, and no building permit may be issued on said land, unless:

a. Said land existed as a single parcel of ownership, recorded as such in its entirety and present boundaries prior to the 1970 Gwinnett County Subdivision Regulations; 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; or,

c. Said land is shown in its entirety and present boundaries on a plat authorized by the Director and recorded pursuant to the regulations governing Subdivision Exemptions contained herein; or,

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 Sale Of Land By Reference To Unapproved Final Plat Prohibited.

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 Gwinnett County and grant the issuance of building permits pursuant to the Codes and Ordinances of Peachtree Corners.

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 Resolution. 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 Resolution 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 City.
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 Resolution, 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 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 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 Resolution, 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 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 Resolution.

3.4.6 Amnesty Lots.

The designation of a lot as a buildable lot of record if the lot was recorded between June 2, 1970, and the effective date of these Regulations but not reviewed and approved 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 Resolution, 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 Resolution 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 City.
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.

ARTICLE 4
PERMITS REQUIRED FOR DEVELOPMENT OR CONSTRUCTION

4.1 AUTHORIZATION REQUIRED FOR LAND DISTURBANCE OR DEVELOPMENT ACTIVITIES

4.1.1 Permit Required; Exemptions.

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 incorporated Peachtree Corners 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 Peachtree Corners 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 Peachtree Corners 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 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 Peachtree Corners 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 Peachtree Corners 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 except for such activities necessary to install and maintain erosion and sediment control practices (as defined in the Georgia Soil Erosion and Sedimentation Act) may be issued upon identification of the property, the limits of the area to be cleared and the type of activities to be undertaken, an Erosion and Sediment Control Plan unless exempt under the Soil Erosion and Sediment Control Ordinance, a hydrology study if an Erosion and Sediment Control is required,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 Resolution 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, Erosion and Sediment Control Plan, and hydrology study. 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 consecutive 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 except for such activities necessary to install and maintain erosion and sediment control practices. 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, 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 consecutive 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 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 (1) extension not exceeding three (3) 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 Peachtree Corners 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 Peachtree Corners, 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.

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 of 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 Resolution 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.

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 Peachtree Corners and in an amount not less 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 Mayor and 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 Resolution 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 Resolution 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 extend more than 3 feet above the street grade.

(2) Storm Water Management Facilities
The creation of an unbuildable lot for the exclusive purpose of providing and maintaining a storm water management facility is authorized.

5.2 OFFERS OF LAND DEDICATION

5.2.1 Incorporation Of Public Land Area Into Buildable Lots.

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 Discrepancy Between Minimum Standards; What Applies.

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 Conformity.

Building setback lines shall at least conform to the minimum yard requirements of the Zoning Resolution. 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 Resolution.

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 Peachtree Corners. Said improvements and associated lands shall be provided at no cost to Peachtree Corners, and shall be dedicated or otherwise transferred, as required, to the public in perpetuity and without covenant or reservation, except as otherwise provided herein.

5.5 LOTS

5.5.1 Lots To Conform To The Zoning Resolution.

Lots shall at least conform to requirements of the Peachtree Corners Zoning Resolution.

5.5.2 Double Frontage And Reverse Frontage Lots Required Along Major Thoroughfares.

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 Lot Corner Monumentation.

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 Floodplain Elevations.

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 Department To Maintain Standard Drawings On File.

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 Standard Drawings To Illustrate Standards.

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 a applied to specific situations on a case-by-case basis.

5.7.3 Standard Drawings Incorporated As Part Of Development

Regulations.

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

e. New plantings in buffers shall be selected for natural survival expectancy for the Peachtree Corners 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 Resolution 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.

5.8.3 Tree Preservation And Replacement Requirements.

a. Any property required to preserve and protect existing trees or to plant replacement trees under the provisions of the Buffer, Landscape, and Tree Ordinance shall do so in compliance with said ordinance.

b. Areas set aside for the preservation of existing

trees or the planting of new replacement trees, in fulfillment of any portion of the tree density standard of a property other than the property upon which the areas are located, shall be established within an easement drawn in favor of the other property, and appropriately recorded.

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 Peachtree Corners

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 RECREATION AREAS AND OPEN SPACE

5.9.1 Recreation Areas.

Land for use as project open space or recreation shall be provided in single family detached subdivisions having a gross area of 50 acres or more and a minimum lot size less than 1 acre; in duplex subdivisions having a gross area of 50 acres or more; and in single family

attached, townhouse, Senior Oriented Residence Developments (R-SR), and multi-family developments having a gross area of 10 acres or more.

a. For each development, 6 percent of the gross land areas shall be provided for the recreational use, but in no case shall the area required exceed 6 acres. Not over 60 percent of the area may be within the 100-year floodplain.

   (1) If recreation facilities are not proposed to be constructed, the land so provided shall be contiguous or separated only by parking areas and private drives, and of suitable shape and condition for construction of at least one (1) swimming pool and one (1) regulation-size tennis court.
   (2) If the developer constructs at least a swimming pool and tennis court, or other acceptable active recreation facilities, as part of the project, then the land so provided need not be a single contiguous parcel and the total set-aside area required by this paragraph can be reduced to the amount actually required for the construction and maintenance of the facilities, but not less than 50% of the gross recreational set-aside requirements outlined herein.

b. In subdivisions, land provided for recreational use in accordance with "a" (1), above, and not proposed for improvement by the developer shall be deeded to Peachtree Corners or to a qualified Property Owners Association upon the approval of the final plat containing said land and shall be used exclusively for recreational purposes. The qualified Property Owners Association shall provide for the voluntary membership of all the owners of property within the subdivision, and shall be established under the laws of Georgia; it shall be responsible for the perpetuation, maintenance and function of the recreation areas and all uses or facilities therein. The association shall have the authority

and duty to assess its members for such maintenance and improvements as set forth in the instrument creating the association. All covenants shall be recorded simultaneously with the final subdivision plat.

c. If the developer constructs recreational facilities as approved under a(2), above, on the recreational land in a subdivision, the land area shall be deeded to a Homeowner's Association or other legal entity incorporated under the laws of Georgia. The land shall be deeded to said organization with a restriction that the land shall be used exclusively for recreational purposes and shall be made available to all residents of the subdivision project on an equal basis. The deed shall be filed with the Department simultaneously with the final plat, and shall be held by the Department until a Certificate of Occupancy is issued for the recreational improvements, whereupon the deed shall be recorded. Failure to construct or complete the approved facilities shall cause the land to be dedicated to Peachtree Corners.

d. In multifamily rental or condominium projects, land provided for recreational use in accordance with these requirements shall be held in the ownership of the owner of the project.

e. Peachtree Corners may lease or sell land reserved for public parks to a qualified Property Owners Association with a deed restriction that the land be used exclusively for open space or public recreational purposes in perpetuity. The organization of a qualified Property Owners Association and its adequate financing for the discharge of its responsibilities shall be assured through acceptable private deed covenants running with the land or other such documents as approved by the Mayor and Council of Peachtree Corners.

5.9.2 Open Space.

Open space provided in projects located in the Big

Haynes Creek Watershed Protection Area shall meet the following requirements:

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 Mayor and 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.

5.10 WETLANDS

5.10.1 National Wetland Inventory Maps.

The National Wetland Inventory Maps, prepared by the United States Fish and Wildlife Service, shall be the official wetland maps of the unincorporated areas of the City. These maps show the general locations of wetlands and should be consulted by persons contemplating activities in or near wetland areas.

5.10.2 Plans.

Design professionals, after consulting the National Wetland Inventory maps, shall indicate wetlands on plans required for land disturbance permit applications.

5.10.3 Design Professional Statement.

Prior to the issuance of a land disturbance permit, the design professional who prepared the required plans accompanying the permit application, shall add a statement to the plan sheet indicating land disturbance and the statement shall read as follows:

Wetland Certification:
The design professional, whose seal appears hereon, certifies the following: 1) the National Wetland Inventory maps have been consulted; and, 2) the appropriate plan sheet [ ] DOES / [ ] DOES NOT (circle appropriate box) indicate wetlands as shown on

the maps; and, 3) if wetlands are indicated, the land owner or developer has been advised that land disturbance of protected wetlands shall not occur unless the appropriate federal wetlands alteration ("Section 404") permit has been obtained.

5.10.4 Permits.

The issuance of land disturbance permits by the City shall be coordinated with the US Army Corps of Engineers Section 404 permitting process. If the "wetland certification" above indicates the presence of wetlands as shown on the NWI generalized wetlands maps, no land disturbance permit will be issued by the City until a Section 404 Permit or Letter of Permission is obtained from the US Army Corps of Engineers.

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

6.1 ACCESS

6.1.1 Large Parcels To Provide Future Street Access.

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 Landlocking Of Adjacent Property Prohibited.

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 Minimum Lot Frontage Required.

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 To Be Constructed Pursuant To Roadway Construction standards.

Private streets as may be approved under the provisions of the Zoning Resolution shall be constructed to the roadway construction standards of Peachtree Corners, as contained herein.

6.1.5 Vehicular Access Easements.

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.

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 Peachtree Corners 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 Peachtree Corners. 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 Resolution, 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 Resolution, as applicable, or as otherwise required by the Mayor and Council.

6.3 MINIMUM RIGHT-OF-WAY AND STREET IMPROVEMENTS

6.3.1 Right-of-Way and Pavement Widths.

Minimum widths for new construction (new streets or project access improvements) shall be as shown on Table 6-A (unless a modification is granted by the Director).

Exception No. 1: Conservation Subdivisions.

New local streets in subdivisions developed in the Conservation Subdivision Overlay District shall be as follows:

a. Right-of-Way Width of New Interior Local Streets.

Entrance Streets: At least 50 feet for a depth of 300 feet from the subdivision entrance (measured from exterior road right-of-way) after which street right-of-way width shall be at least 46

feet.
Other Interior Streets: at least 44 feet.
Right-of-Way Radii: at least 45 feet for cul-de-sac or "eyebrow" turnarounds.
Alleys: no minimum if not to be dedicated to the City; at least 15 feet if to be dedicated to the City.

b. Pavement Width of New Interior Local Streets.

Entrance Streets: At least 27 feet (measured to back of curb) for a depth of 300 feet from the subdivision entrance (measured from exterior road right-of-way) after which pavement width shall be at least 24 feet (measured to back of curb).
Other Interior Streets: at least 22 feet (measured to back-of-curb).
Curb and Gutter: at least 1.5 feet. Pavement Radii: at least 40 feet for cul-de-sac or "eyebrow" turnarounds (measured to back of curb).
Alleys: at least 10 feet (concrete or asphalt), with or without curb, if not to be dedicated to the City; at least 12 feet if surfaced with asphalt (which includes 1 foot concrete curbs) and at least 10 feet if surfaced with concrete (with or without curb).

Exception No. 2: New Local Residential Streets in the Mixed-Use Redevelopment (MUR) Overlay District.

New Local Residential Streets developed in a MUR Overlay District shall meet the following:

a. Right-of-Way Width.

Interior Streets: at least 44 feet.
Right-of-Way Radii: at least 50 feet for cul-de-sac or "eyebrow" turnarounds.
Alleys: at least a 15 foot easement if not to be dedicated to the City; at least 15 feet of right-of-way if to be dedicated to the City.

b. Pavement Width.

Interior Streets: at least 22 feet (measured to back-of-curb).
Pavement Radii: at least 40 feet for cul-de-sac or "eyebrow" turnarounds (measured to back of curb).
Alleys: at least 10 feet (concrete or asphalt), with or without curb, if not to be dedicated to the City; at least 12 feet if surfaced with asphalt (which includes 1 foot concrete curbs) and at least 10 feet if surfaced with concrete (with or without curb).

c. Additional Pavement & Right-of-Way Width.

Additional Travel Lanes: at least 10 feet of pavement width.
On-Street Parallel Parking: at least 9 feet of pavement width.
Right-of-Way: additional right-of-way shall be provided to accommodate additional travel lanes, on-street parallel parking, sidewalks and underground utilities.

Exception No. 3: New Local Non-Residential Streets in the Mixed-Use Redevelopment (MUR) Overlay District.

New Local Non-Residential Streets developed in a MUR Overlay District shall meet the following:

a. Right-of-Way Width.

Interior Streets: at least 48 feet.
Right-of-Way Radii: at least 55 feet for cul-de-sac or "eyebrow" turnarounds.
Alleys: at least a 15 foot easement if not to be dedicated to the City; at least 15 feet of right-of-way if to be dedicated to the City.

b. Pavement Width.

Interior Streets: at least 26 feet (measured to

back-of-curb).
Pavement Radii: at least 45 feet for cul-de-sac or "eyebrow" turnarounds (measured to back of curb).
Alleys: at least 10 feet (concrete or asphalt), with or without curb, if not to be dedicated to the City; at least 12 feet if surfaced with asphalt (which includes 1 foot concrete curbs) and at least 10 feet if surfaced with concrete (with or without curb).

c. Additional Pavement & Right-of-Way Width.

Additional Travel Lanes: at least 11 feet of pavement width.
On-Street Parallel Parking: at least 9 feet of pavement width.
On-Street Angled Parking: at least 18 feet of pavement width.
Right-of-Way: additional right-of-way shall be provided to accommodate additional travel lanes, on-street parallel parking, on-street angled parking, sidewalks and underground utilities.

TABLE 6-A
MINIMUM RIGHT-OF-WAY AND ROADWAY WIDTHS FOR NEW STREETS AND PROJECT ACCESS IMPROVEMENTS

STREET CATEGORY	MINIMUM RIGHT-OF-WAY (1)	MINIMUM ROADWAY (2)
PRINCIPAL ARTERIAL	120' TO 150'	6 THROUGH LANES WITH MEDIAN
MAJOR ARTERIAL	100' TO 120'	67'
		4 TO 6 THROUGH LANES WITH MEDIAN
MINOR ARTERIAL	80' TO 100'	52' TO 66'
		4 THROUGH LANES WITH MEDIAN
MAJOR COLLECTOR	80'	52'
MINOR COLLECTOR	60' TO 80'	28'
LOCAL STREET NONRESIDENTIAL NONRESIDENTIAL CUL-DE-SAC	60' (3)	32'
	60' RADIUS	50' RADIUS
LOCAL STREET RESIDENTIAL - URBAN RESIDENTIAL - URBAN CUL-DE-SAC	50'	27'
	50' RADIUS	40' RADIUS
LOCAL STREET RESIDENTIAL - RURAL (4) RESIDENTIAL - RURAL CUL-DE-SAC (4)	60' (5)	24' (6)
	60' (5) RADIUS	40' RADIUS

FOOTNOTES:

(1) The greater right-of-way width shall apply under circumstances as described in Section 6.3.2 (c.).
(2) Roadway width dimensions are back-of-curb to back-of-curb except where noted.
(3) Utility easement shall be provided in a location and size as required by the Department of Public Utilities.
(4) Subdivisions zoned R-140 and RA-200.
(5) May be reduced to 50 feet if curb, gutter, and piped drainage system is provided.
(6) Measured to edge of pavement. Curb and gutter is not required in subdivision zoned R-140 and RA-200. Roadway width may be reduced to 23 feet if curb and gutter is provided (27 feet total width).

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 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 Mayor and Council for review in order to seek a determination if Peachtree Corners should acquire the right-of-way or if a study of alternate routes should be undertaken. The review period by Peachtree Corners
shall not exceed 90 days from the date of permit application. If, after the 90 day review, the Mayor and 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 City road is to be developed or redeveloped as a single family detached or duplex subdivision and the City street will provide access to the property, Project Access Improvements to the 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 if approved by the Department of Transportation 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 Peachtree Corners at no cost. Associated drainage improvements as deemed necessary by the construction of the deceleration lane shall also be required.

d. A left turn lane shall be provided into each subdivision street that accesses a Minor Collector or Major Thoroughfare in accordance with the Department of Transportation's "Criteria and Guidelines for Left Turn Lanes."

e. 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.

f. 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.

6.3.4 Project Access Improvements - Multifamily And Nonresidential Developments.

a. When property that abuts upon an existing or proposed City road is to be developed or redeveloped for multi-family or nonresidential uses and the City road will provide access to the property, access improvements to the 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 if approved by the Department of Transportation 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 Peachtree Corners at no cost. Associated drainage improvements as deemed necessary by the construction of the deceleration lane shall also be required.

d. A left turn lane shall be provided into each project driveway or subdivision street, as applicable, that accesses a Minor Collector or Major Thoroughfare in accordance with the Department of Transportation's "Criteria and Guidelines for Left Turn Lanes."

e. 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.

f. 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 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 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 Mayor and 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 To Comprehensive Plan.

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 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 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.

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 Engineering Department 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 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 Engineering Department 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 or which propose lot access to existing City streets.

a. Prior to the approval of a Final Plat, the developer shall submit a copy of the approved Preliminary Plat to the Traffic and Operations Division of the Department of Transportation. The Traffic & Operations Division shall prepare a street light design drawn on the Preliminary Plat based upon the City's Street Lighting Ordinance. The design shall be forwarded to the appropriate power provider and the developer shall pay the power provider the appropriate cost for materials and installation. Proof of payment to the power provider shall be required.

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 provider shall submit monthly bills to the Traffic & Operations Division of the Department of Transportation for payment. The City 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 City, 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 Removal Of Unsuitable Material.

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 Compaction.

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 Brought To Line And Grade.

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 To Be Compacted.

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 Roll Testing Required.

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 stabilized a subgrade that does not pass proofrolling.

6.7.7 Temporary Traffic Surface.

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 To Drain Low Points.

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 Sections Wider Than 4 Feet In Width.

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 Sections Less Than 4 Feet In Width.

For sections less than 4 feet wide, 7 inches of Class "A" concrete base (5 inches on local and minor collector streets) and 1· 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 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) One-Pass Street:
The base course shall consist of at least 6 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 for 7 days prior to paving.

(2) Soil Cement Base

(a) If the base material (resident soil) is unsatisfactory to the Department then a soil cement mix design with professional engineer test results acceptable to the Department. The design must come from a geo-technical firm with the results certified by a Professional Engineer registered in the State of Georgia. The tests required for the design are ASTM D558 or AASHTO T134 or ASTM D559 and/or 560 or AASHTO T135 and 136.

(b) The minimum base course shall consist of at least 6 inches of suitable soil (high mica content not suitable) stabilized with 10 percent of Portland Cement by volume (approximately 42.3 pounds per sq. yd.). Depending on whether the street is to be constructed as a on-pass or two-pass street, please refer to Section 6.9.1, a(1)(a) or

Section 6.9.1, a(1)(b) for the applicable binder and/or paving standards. Where the grade of the street is 5 percent or greater, a single surface treatment course must be applied before the binder.

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.

6.9.2 Local Residential-Rural Streets.

Where allowed (in subdivisions zoned R-140, subdivisions zoned RA-200, and upgrading off-site substandard streets), Local Residential-Rural Streets do not require curb and gutter. The road base shall be extended 1 foot beyond the edge of pavement, and the shoulders shall extend 8 feet from the edge of pavement to a standard ditch section on each side (see Standard Drawings). Otherwise, the roadway shall comply with the standards for new residential subdivision streets, above.

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 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 Construction Standards: Major Thoroughfares.

Minor collectors shall be constructed in accordance with designs prepared by Peachtree Corners 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

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

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

6.11 CURB AND GUTTER.

6.11.1 Curb And Gutter Required.

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 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.

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 field staked for grades less than 2% and grades 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 Installation And Compaction Required Before Pavement Or Base.

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 After Base Installed, Utilities To Be Bored.

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 Manholes Flushed With Finished Grade.

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

6.12.4 Standard Drawings Apply.

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

6.13 SIDEWALKS

Sidewalks and curb ramps shall be constructed in all new development or redevelopment along all abutting or internal streets, existing or new, private or public. Whenever a discrepancy occurs between the design and construction standards of this section and any state or federal regulation, then the most restrictive shall apply.

6.13.1 Sidewalk Installation And Timing.

Sidewalks shall be installed as follows:

a. Residential Subdivision Projects. Sidewalks shall be installed on new internal streets (both sides including "eyebrow" turnarounds) and on abutting external streets (abutting side). Sidewalks are not required adjacent to cul-de-sac turnarounds nor on streets ending in a cul-de-sac turnaround that provide access to 6 or fewer lots. Sidewalks may end at the radius transition of a cul-de-sac turnaround with an L-shaped "mid-block" curb ramp in alignment with the ramp on the opposite side of the street.

(1) Residential Subdivision Developer Responsibility. Developers shall install sidewalks on abutting external streets, "passive" recreation area lots, and open space lots, and shall install intersection radius curb ramps at new street intersections, and L-shaped mid-block ramps at cul-de-sac turnarounds, within 60 days of approval of the Final Plat. Sidewalks on "active" recreation area lots shall be

installed prior to issuance of a Certificate of Occupancy or shall be installed by the developer prior to release of the subdivision maintenance surety, whichever is earlier. Developers shall also install sidewalks on any vacant lots remaining between developed lots (i.e. dwellings under construction or completed) prior to release of the subdivision maintenance surety.

(2) Homebuilder Responsibility. Homebuilders shall install sidewalks, and curb ramps not required to be installed by developers, on building lots prior to release of the Certificate of Occupancy for a home.

b. Nonresidential Subdivision Projects.

Sidewalks shall be installed on new internal streets (both sides including cul-de-sac and "eyebrow" turnarounds) and on abutting external streets (abutting side) within 60 days of approval of the Final Plat.

c. Nonsubdivision Projects.

Sidewalks shall be installed on abutting streets (abutting side) prior to the issuance of a Certificate of Occupancy.

d. Maintenance Surety.

Maintenance surety provided to the City shall include the cost of sidewalk construction in an amount acceptable to the City.

e. Escrow Alternative.

The cost of sidewalk installation may be set aside in escrow with the Department of Transportation if proposed road improvements by the City may impact the location of a sidewalk.

6.13.2 Sidewalk Design And Construction Standards.

Sidewalks shall be constructed in accordance with the requirements of this section. The director is authorized to grant modifications upon specific application due to topographic or drainage difficulty as well as alternative design proposals after receiving a recommendation from the Department of Transportation.

a. Width.

Sidewalks shall be at least 4 feet wide on new internal subdivision streets except sidewalks shall be at least 5 feet wide on new internal streets or drives within the Senior Oriented Residence District (R-SR). Sidewalks shall be at least 5 feet wide on abutting external streets.

b. Setback.

Sidewalks shall be located at least 2 feet from the back of curb except in conservation subdivisions or subdivisions in which street trees are provided (bridges excepted). Sidewalks in conservation subdivisions or in subdivisions in which street trees are provided shall be located at least 6 feet from the back of curb (bridges excepted). The area between the curb and the sidewalk shall consist of grass or landscaping. Where no curb exists, or if road improvements are proposed for installation by the City, sidewalks, including appropriate drainage facilities, shall be constructed in a location acceptable to the Department of Transportation.

c. Cross Slope.

Sidewalks shall be constructed with a cross slope of 0.25 inch per foot. Sidewalks shall maintain this cross slope at driveway crossings or transition the sidewalk to a driveway with ramps and detectable warnings.

d. Material.

Sidewalks shall be constructed of concrete at least 4 inches thick. Concrete shall be Class "B" (as defined by Georgia DOT) with a minimum strength of 2,200 PSI at 28 days.

e. Final Stabilization.

Disturbed areas resulting from sidewalk construction shall be backfilled, stabilized, and grassed or landscaped.

f. Georgia DOT Controlled Roads.

Sidewalks located in the right-of-way of roads under the jurisdiction of the Georgia DOT shall be constructed in accordance with Georgia DOT design and construction standards.

6.13.3 Sidewalk Curb Ramp Design And Construction Standards.

Intersection radius curb ramps shall be provided at street intersections. L-shaped mid-block curb ramps shall be provided to end sidewalks at the radius of cul-de-sac turnarounds in residential subdivisions. Straight ramps may be provided at intersections of curbed driveways and at streets without sidewalks. Curb ramps shall meet the requirements of the City’s Standard Drawings.

6.13.4 Damage Repair.

Damage to sidewalks and ramps caused by construction or development activity shall be repaired at no cost to the City within 30 days or prior to issuance of a Certificate of Occupancy, whichever is earlier.

ARTICLE 7
UTILITIES AND EASEMENTS

7.1 PLACEMENT OF UTILITIES

7.1.1 Underground Utilities To Be In Right-of-Way Or Easement.

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 Peachtree Corners, as illustrated in the Standard Drawings.

7.1.2 Private Underground Utilities Require Department Approval If In The Right-of-Way.

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 Connection Of Public Water Main Required.

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 Water, Fire Hydrants, Etc., To Be Designed According To Applicable Standards, And Plans And Specifications.

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

7.2.3 Water Mains To Be Installed After Curbs But Before Paving.

Within the Peachtree Corners 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 line or grade.

7.3 SANITARY SEWER DISPOSAL

7.3.1 Connection To Sewage Disposal System Required.

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 Peachtree Corners or as required by the Peachtree Corners Health Department.

7.3.2 If Sewer Is Available, Septic Not Allowed.

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 Peachtree Corners. Sewer availability shall be determined by the Peachtree Corners Water Pollution Control Division.

7.3.3 Septic Field Must Be Located Out Of The 100-Year Floodplain.

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 Health Department Notations On Plats.

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 Dedication Requirement.

Temporary construction easements and permanent easements for public utilities, drainage or other public facilities shall be dedicated to Gwinnett

City in accordance with City Requirements. All easements shall be stabilized in accordance with the Manual for Erosion and Sediment Control in Georgia.

7.4.2 Cleared, Opened, and Stabilized.

Drainage easements are required for any part of the drainage system that 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.

TABLE 7-A
EASEMENTS FOR STORM DRAIN PIPES

PIPE SIZE (FT)	MAXIMUM PIPE INVERT DEPTH (FT) / MINIMUM EASEMENT WIDTH (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
1.50	20	20	20	20	20	25	25	30	30	30	35	35	40
2.00	20	20	20	20	20	25	25	30	30	30	35	35	40
2.50	20	20	20	20	25	25	25	30	30	35	35	35	40
3.00	20	20	20	20	25	25	25	30	30	35	35	35	40
3.50		20	20	20	25	25	30	30	30	35	35	40	40
4.00		20	20	20	25	25	30	30	30	35	35	40	40
4.50			20	25	25	25	30	30	35	35	35	40	40
5.00			20	25	25	25	30	30	35	35	35	40	40
5.50				25	25	30	30	30	35	35	40	40	40
6.00				25	25	30	30	30	35	35	40	40	40

7.4.3 Width Of Permanent Sanitary Sewer Easements.

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 Provision For Common Sanitary/Drainage Easement.

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 Watercourse Easements.

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 Off Street Right-of-Way Easements.

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 Cleared Easements To Be Grassed.

All drainage, sewer, access or other easements that 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 Review And Approval By The Department.

All utility construction plans within City right-of-way shall be reviewed and approved by the Department before construction begins. 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 Fees Required.

No street cut shall be authorized until such Street Cut Fees have been paid.

7.5.3 Trenches To Be Backfilled.

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 Trenches Under Paving.

All trenches under paving shall be concreted with 8" of Class "A" concrete base and 2” 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 Utility Extension Contact Information.

Contact the Department of Public Utilities for public utility extension information from the existing to the proposed development. Contact the Traffic Engineer at least 24 hours in advance of closure of traffic lanes.

ARTICLE 8
SITE GRADING, STORMWATER DETENTION, CULVERTS AND PIPED DRAINAGE SYSTEMS, AND EROSION CONTROL

8.1 SITE GRADING

8.1.1 Compliance With Line And Grade Required.

Grading shall be done in accordance with the lines and grades shown on the approved Grading Plan.

8.1.2 Contour Interval Of 2 Feet Required.

Grading plans shall show existing and proposed contour lines at an interval of no more than 2 feet. Grading plans shall outline the areas that are required to remain undisturbed (i.e., Tree Protection Areas, buffer, etc.) and shall indicate protective fencing or staking to be placed surrounding such areas.

8.1.3 Consistent With Metropolitan River Protection Act.

If the property is within the jurisdiction of the Metropolitan River Protection Act, the grading shall be consistent with the River Corridor Certificate approved for the project.

8.1.4 Embankment Layering.

Embankments shall be placed in uniform layers not to exceed a compacted thickness of 6 inches per layer and shall be compacted to a density of 95 percent of the maximum laboratory dry weight per cubic foot as determined by AASHTO Method T-99 in all areas where structure, parking lots and drives, streets, and utilities are to be placed. All other embankments are to be compacted to at least 85 percent.

8.1.5 Maximum Slopes.

The maximum slopes for cut or fill shall be 2:1 (two feet of horizontal run for each foot of rise or fall), except 1) for earthen dam embankments, 2) for rock

cuts, 3) where certified by a professional engineer or 4) as discussed in Section 8.1.6 below. Earthen dam embankments shall be 3:1 maximum unless a modification application is approved. The intent of the earthen dam embankment slope regulation is to provide for public safety, soil stability, and dam maintenance considerations. The depth of cut referred to herein shall be the maximum cut or fill that shall be allowed to occur in any one section of cut or fill. The slope of cut or fill shall be uniform throughout for each section of cut or fill unless benching is approved by the City. When a cut is made in rock that requires blasting, the slope may be steeper if presplitting is employed and upon submission of a geotechnical report which substantiates the integrity of the rock in the steeper condition, subject to the review and approval of the Director. (Note: No blasting shall occur unless a permit has been obtained from the Fire Marshall's office.) Refer to the Standard Drawings for grading section and retaining wall details.

8.1.6 Special Conditions For Soil With Low Shearing Resistance And Cohesion.

While most soils in the area can be safely stabilized at a 2:1 slope, some soils exhibit a low shearing resistance and a low cohesiveness. These soils typically are micaceous silts and sandy soils with little or no clay. If the 2:1 slope shows evidence of shearing, non-cohesiveness, sliding, or inability to maintain compaction, the slope shall be stabilized at 3:1 or by using such mechanical methods as needed (such as retaining walls or "grow mats" stapled in place) to maintain slope, height, and integrity.

8.1.7 Grading Plan For Building Pad Locations For Residential Subdivisions.

A grading plan showing building pad locations shall be submitted for residential subdivisions, unless a modification application is approved, zoned for a lot size of less than 12,000 square feet or a density of 4 units per acre or more. The intent of this regulation

is to ensure adequate lot-to-lot drainage. Granting a modification will not nullify the intent of these regulations when the layout has a minimum lot area of 14,520 square feet and a minimum lot width of 90 feet. The grading plan may be used as a construction document prior to approval of the Final Plat or as a guidance document for individual lot grading after approval of the Final Plat.

8.1.8 Grading For Roads And Improved Ditches Shall Be Shown.

8.2 STORM WATER MANAGEMENT (Redevelopment refer to Section 8.10)

8.2.1 Storm Water Management Report Required.

a. The purpose of a Storm Water Management Report is to support the development of the project site using Best Management Practices and diligent engineering. The report must follow the guidelines set forth in the Peachtree Corners Stormwater Systems and Facilities Installation Standards and Specifications and is required for all developments. The report shall be certified by an authorized registered professional registered in the State of Georgia.

b. The Storm Water Management Report shall identify the locations and quantities of storm water runoff entering and exiting the site for both pre- and post-developed conditions. Analysis of the off-site properties shall anticipate future development in addition to addressing existing conditions.

c. For the purposes of these regulations, the words "downstream" and "analysis" shall have the following meanings. The analysis of downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property. The analysis shall focus on the portion of the drainageway "immediately" downstream from

the project. This area shall extend downstream from the project to a point in the drainage basin where the project area is 10 percent of the total basin area. The analysis shall be in accordance with the Peachtree Corners Stormwater Systems and Facilities Installation Standards and Specifications.

d. The following criteria shall be evaluated by the authorized registered professional (refer to Subsection 8.2.1. Paragraph a.) preparing the Storm Water Management Report, and in determining whether or not detention should be required for any portion of any site:

(1) Existing land uses downstream;
(2) Anticipated future land uses downstream;
(3) Magnitude of increase in peak flows due to development;
(4) Presence of existing drainage problems;
(5) Capacity of existing and anticipated drainage systems;
(6) Creation of concentrated flows where none had occurred previously;
(7) Availability of feasible locations for detention facilities;
(8) Existing flows generated off-site which pass through the project site; and,
(9) The nature of the receiving watercourse.

e. Where detention for a proposed project is provided in a regional detention facility that was permitted prior to January 1, 2001, the developer shall provide a copy of the original study that met the regulations at the time the facility was permitted. If the approved study cannot be found, then the authorized registered professional shall provide a recreated study. The project shall be exempt from restudy and any modifications required to meet regulations effective after January 1, 2001 provided the proposed project is in keeping with the intent of the original detention study and the detention

facility is maintained.

f. When a development uses an existing facility where the last approved certification and record drawing of the facility was over 18 months prior to the new development's submittal, the authorized registered professional shall provide one of the following.

(6) A new survey, drawing and certification showing that the outlet structure is constructed as approved and the flood storage and water quality volume of the facility is equal to or greater than the volume required when the facility was approved.

(7) Construction plans and calculations showing that the outlet structure will function as designed and the flood storage and water quality volume of the facility will be equal to or greater than the volume required when the facility was approved once the proposed maintenance has been performed.

(8) A new record survey, drawing, study and certification showing that the facility meets the development requirements when the facility was approved.

g. Design Criteria – General
All design related to storm water shall be in accordance with the Peachtree Corners Stormwater Systems and Facilities Installation Standards and Specifications.

h. Evidence of Acquisition of Applicable Non-Local Permits
The applicant shall certify and provide documentation that all other applicable environmental permits have been acquired for the site prior to approval of the Storm Water Management Report.

8.2.2 Storm Water Detention Required.

a. Whenever a Storm Water Management Report indicates that an adverse impact from storm water runoff is expected to result from the development of a property, that project shall be provided with storm water detention facilities. The meaning of "adverse impact" shall apply when pre-development flows did not cause difficulties and post-development flows do. Difficulties shall include but not be limited to situations where 25-year velocities exceed the non-erosive velocity of the stream, habitable structures are shown to be subject to increased depth of flooding for any frequency up to and including the regulatory flood, and storm water facilities that can not carry the design storm in accordance with these regulations.

b. Storm water detention facilities required in section 8.2.2.a shall be provided, unless the authorized registered professional (refer to Subsection 8.2.1. Paragraph a.) certifies and provides certified documentation supporting the conclusion to the Director that at least one of the following is true and correct as applicable.

(1) The non-detained, post-development runoff will leave the project site as sheet flow, and will not have an adverse impact upon downstream properties. The increase for a 25-year storm should not exceed 1 cfs over a length perpendicular to the flow of 100 feet.

(2) The effect of detention would be to concentrate flows where sheet flow had occurred under pre-developed conditions, and any impact of increase sheet flows upon downstream properties would be less adverse than that which would result from the concentrated flows from a detention facility even if energy dissipation devices were employed.

(3) The undetained flow will pass through downstream properties, in drainage easements obtained by the developer, to an existing detention facility which has been designed to manage the upstream property's runoff or to the point in the downstream analysis (see 8.2.1.c) which shows that detention is not required.

(4) Where the site runoff will flow directly into a stream or lake without crossing off-site properties:

a. 24-hour detention of the 1-year storm is required if water quality protection is required for the project. In this case, the post-development peak flows in the receiving channel may exceed pre-development flows by the smaller value of up to 0.1% of the pre-development flows or 3 cfs in the downstream analysis.

b. Only peak detention for the 2-year through the 25-year storm is not required if the downstream analysis using timing of the hydrographs shows no adverse impact from the exit of the site to the point immediately downstream from the project in the drainage basin where the project area is 10 percent of the total drainage basin area.

c. Should the authorized registered professional conclude that storm water detention may not be necessary because of anticipated compliance with Section 8.2.2.b., rigid compliance with all of the following criteria is mandatory:

(1) A storm water management report shall always be required whether or not storm water detention is required.

(2) If the applicant proposes to show that the detention requirement may be eliminated for

all or a portion of a project, then a pre-submittal conference with the Department staff is required prior to preparation and submittal of construction plans for the project.

(3) At the pre-submittal conference with the staff, the consultant shall be prepared to discuss the downstream analysis findings as follows:

(a) The affected stream must be analyzed downstream from the project to a point where the project area is 10 percent of the total drainage basin. The analysis must include all culverts, obstructions, existing and potential erosion problems, elevations of existing improvements, and any other existing modifications to natural conditions; and,

(b) If the existing downstream conditions are overburdened by the pre-developed flows in the stream, then detention shall be required unless the developer elects to eliminate the downstream overburdened conditions at his or her expense when the development occurs; and,

(c) If there are any existing drainage complaints downstream, then detention shall be required unless the developer elects to minimize the conditions causing the complaint at his or her expense when the development occurs.

8.2.3 Detention Design Criteria - General.

a. All storm water detention pond hydrologic and hydraulic analysis and design calculations shall be certified by the authorized registered professional (refer to Subsection 8.2.1. Paragraph a.). The design shall be in accordance with the Peachtree Corners Stormwater Systems and

Facilities Installation Standards and Specifications.

b. All storm water detention facilities shall be designed to detain the 1-year storm runoff, for the area draining to the pond, for 24 hours. For the project, this volume called the channel protection volume, shall be equal to or greater than the 1-year storm runoff volume from the project. In addition, these facilities shall control the peak flow rates associated with storms having 2-year, 5-year, 10-year, and 25-year return frequencies so that flows from the developed site do not exceed those associated with pre-development conditions at the project boundary nor increase the peak flows downstream from the project to the point in the drainage basin where the project area is 10 percent of the total basin. Where adverse impacts, as defined in section 8.2.2.a, occur during the 100-year storm, the 100-year storm shall also be regulated.

The hydrologic methodology used for any given project shall conform to the Peachtree Corners Stormwater Systems and Facilities Installation Standards and Specifications.

Runoff coefficients and runoff Curve Numbers used for pre- and post-development conditions shall be consistent with those shown in the Gwinnett City Stormwater Systems and Facilities Installation Standards and Specifications.

c. The USGS Method shall be used where applicable to check the magnitude of peak flows when other hydrologic methods recommended in the manual are used.

d. Calculations shall be provided showing how all times of concentration or lag times were computed, both for pre- and post-developed conditions. Likewise, adequate support must be provided for all composite runoff coefficients or

curve numbers used.

8.2.4 Detention Facility Location Criteria.

a. For purposes of these Regulations, a detention facility shall be deemed to consist of the area within the maximum design ponding limits unless a modification application is approved, the dam (if one) including all embankment slopes and wall footings (if applicable), primary and emergency outlet works, any drainage and access easements, and any energy dissipation devices. The intent of these regulations is to ensure that the extent of the facility is defined to allow flooding, access and maintenance. Granting of a modification will not nullify these regulations when the facility is a wet pond or lake, the area within the maximum design ponding limits is reduced to a few feet inside the normal pool elevation, and easements are provided on the perimeter properties to allow for flooding, access and maintenance around the lake. In addition, granting of the modification shall only be considered when the wet pond is an amenity and under no circumstances shall the dam and outlet structure lie on private property.

b. Detention facilities, to the greatest extent feasible, shall be located so as to minimize the amount of flow generated on-the project site that by-passes the facility.

c. No portion of any detention facility shall disturb any required (as opposed to voluntary) buffer, landscape strip, or tree protection area, except that natural bottom detention ponds and its appurtenant structures, which require no grading and removal of trees, may encroach into a required construction buffer.

d. The 100-year ponding limits of a detention facility shall not encroach upon a public right-of-way.

e. Detention facilities may be located within utility easements or rights-of-way, or encroach upon utility easements or rights-of-way, upon receipt by the Department of written permission from both the property and utility owners.

f. Detention facilities may be constructed within recreation areas required under Section 5.9 of these Regulations, if the following criteria are met:

(1) Ownership of the area will be held by a Qualified Property Owner's Association, Homeowners Association, or other private parties.
(2) Permanent structures, such as buildings and swimming pools, will not be constructed within the boundaries of the detention facility.
(3) Detention facilities within recreation areas will be approved only if the design of the area includes recreation amenities such as ball fields, tennis courts, grassed open areas or other similar improvements. The intent is to provide recreation facilities with detention as a secondary feature.
(4) Permanent detention features shall not interfere with the intended used of the recreation amenity, (i.e., a ditch or large swale shall not traverse a ball field, an inlet structure shall not be in a tennis court, etc.).

g. If a residential subdivision is provided with an on-site detention facility not located within a recreation area as specified in 8.2.4.f above, a mandatory property owners' association shall be established for its ownership and maintenance. The facility shall be located on a single lot within the development and owned by the property owners association. The lot shall have a minimum of 30 feet of public road frontage and a minimum

lot width of 30 feet. Access to the facility shall be located on this lot. If the project is provided with an off-site detention facility, a mandatory property owners' association shall be established for its maintenance. The association bylaws shall be recorded concurrently with the recording of a final subdivision plat. The association bylaws shall include the same provisions as specified in Subsection 5.9.2, Paragraph b. of this regulation.

h. A non-residential subdivision is not required to locate an on-site detention facility on a separate lot. The property owners served by a detention facility that provides detention for more than one property owner or is located off-site shall enter into a maintenance agreement acceptable to the City for the facility's maintenance. However, if desired by the developer, the facility may be located on a separate lot if it is owned and maintained by a mandatory property owners' association.

8.2.5 Detention Facility Easement Requirements.

a. In a non-residential subdivision or project, an easement at least 20 feet in width shall be required so as to provide access to all detention facilities from a public street.

b. In a residential subdivision, an easement at least 30 feet in width shall be required so as to provide access to all detention facilities from a public street.

c. Access Easement.

(1) The access easement shall be cleared, grubbed and graded so that it can be utilized by rubber-tired construction vehicles.
(2) The minimum drive width shall be 15 feet.
(3) The drive shall be grassed or paved.

(4) The maximum slope shall be 20% (5H:1V).
(5) Access easements may be combined with drainage easements containing an open channel; however, the combined easement shall be a minimum of 30 feet in width and shall be wide enough for the drainage channel and the drive.
(6) A drive to the bottom of the pond shall be provided when the facility is over 10 feet deep from the bench elevation or the facility is wider than 50 feet as measured from bench to bench.

d. Every normally-dry detention basin, lake, or parking lot detention facility shall be completely enclosed within a drainage easement. The drainage easement shall extend at least 10 feet beyond the 100-year flooding limits of the detention facility.

8.2.6 Detention Facility Maintenance.

a. The detention storage capacity or function of any detention basin, pond or other impoundment, whether natural or man-made, shall not be removed or diminished without the express approval of the Department.

b. In a residential subdivision, it shall be the responsibility of the mandatory property owner's association to maintain the operational characteristics of any facility constructed on their property for storm water detention pursuant to City requirements, to keep the access drive free of obstructions, and to maintain the facility free of obstruction, silt or debris.

c. In a non-residential subdivision or project served by a detention facility that provides detention for more than one property or by an off-site facility, the property owners shall enter into a maintenance agreement with the City for maintenance of the operational

characteristics of the facility pursuant to City requirements, to keep the access drive free of obstructions, and to maintain the facility free of obstruction, silt or debris.

d. In a non-residential project with an on-site detention facility which serves only that project, the property owner shall be responsible to maintain the operational characteristics of the facility pursuant to City requirements, to keep the access drive free of obstructions, and to maintain the facility free of obstruction, silt or debris.

e. Where no maintenance agreement has been recorded, it shall be the responsibility of the property owner to maintain the operational characteristics of any facility constructed on their property for storm water management pursuant to City requirements, to keep the access drive free of obstructions, and to maintain the facility free of obstruction, silt or debris.

f. Prior to the issuance of a Development Permit, the owner shall submit a detailed schedule of long-term maintenance and inspection activities. This schedule of activities shall be incorporated into a maintenance agreement to be entered into between the City and the owner. The schedule shall describe all maintenance and inspection activities and the parties responsible. The maintenance agreement shall be in a form acceptable to the City and shall be recorded in the deed records of the Clerk of Superior Court of Peachtree Corners.

8.2.7 Detention Facility Construction Standards.

a. Storm water detention facilities shall be constructed in accordance with plans reviewed and approved by the Department, and shall be in place and inspected prior to the initiation of other improvements. If the detention facility is

planned to be a lake, temporary detention facilities shall be provided and shall remain in place until such time as the lake has become effective in providing storm water management. The construction shall be in accordance with the Peachtree Corners Stormwater Systems and Facilities
Installation Standards and Specifications.

8.2.8 Detention Facility Engineer's Certification and Record Drawings.

a) When a new facility is constructed in a development, a certified record survey of each detention facility shall be prepared by an authorized registered professional currently registered in the State of Georgia. A certified record drawing of the facility shall be prepared based upon this survey. Based on the actual parameters established on the record drawing, an addendum to the Storm Water Management Report shall be prepared which demonstrates that the facility, as constructed, complies with the requirements of these Regulations. The amended Storm Water Management Report shall be certified by the authorized registered professional (refer to Subsection 8.2.1. Paragraph a.). The survey shall be performed after substantial completion and stabilization of the project has occurred. The record drawing and addendum to the Storm Water Management Report shall be submitted to the City at least one week prior to the issuance of a Certificate of Occupancy or Final Plat approval (as appropriate to the project).

b) When a development uses an existing facility without an existing storm water maintenance bond, the facility shall be cleaned out if necessary and a new record survey, drawing and certification showing that the outlet structure exists as approved and the flood storage and water quality volume of the facility is equal to or greater than the volume required when the facility was approved. As an alternative, a new

record survey, drawing, study and certification showing that the facility meets the development requirements when the facility was approved shall be submitted. The survey shall be performed after substantial completion and stabilization of the project has occurred. The certification and supporting data shall be submitted to the City at least one week prior to the issuance of a Certificate of Occupancy of Final Plat approval (as appropriate to the project).

8.3 CULVERTS AND PIPED DRAINAGE SYSTEMS

8.3.1 Drainage Improvements Required.

Storm water conveyance facilities, which may include but are not limited to culverts, storm drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutter, swales, channels, and ditches, shall be provided for the protection of public right-of-way and private properties adjoining project sites and/or public rights-of-way. Storm water conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the requirements of these regulations.

8.3.2 Design Criteria – General.

a. All storm water conveyance facility design calculations shall be certified by the authorized registered professional (refer to Subsection 8.2.1. Paragraph a.).

b. Methods to calculate storm water flows shall be in accordance with the Peachtree Corners Stormwater
Systems and Facilities Installation Standards and Specifications.

c. The USGS Method shall be used where applicable to check the magnitude of peak flows when other hydrologic methods recommended in the manual are used.

d. All portions of a storm water conveyance system which drain areas falling within the same size category above shall be analyzed using the same methodology.

e. Run-off coefficients used for the Rational Method and runoff Curve Numbers used for the SCS Method shall be consistent with those shown in the Peachtree Corners Stormwater Systems and Facilities Installation Standards and Specifications.

8.3.3 Design Criteria – Culverts.

a. Culvert design is to be in accordance with the methods contained in the Peachtree Corners Stormwater Systems and Facilities Installation Standards and Specifications and shall include a thorough analysis of both inlet and outlet control conditions.

b. The 100-year ponding limits at and upstream of the culvert shall be shown on the Development Plans and on the Final Plat (if applicable).

8.4 (RESERVED)

8.5 EROSION CONTROL

8.5.1 Design Standards.

The procedures and requirements of the Soil Erosion and Sediment Control Ordinance, as may be amended from time to time, shall be applicable whenever any land disturbance is proposed to occur which requires a permit to be obtained by these regulations and shall continue to apply until the project has been completed.

8.5.2 Abandoned Projects.

Any project whose permit has lapsed under the terms expressed in Article 4, shall immediately have all disturbed areas stabilized. This responsibility shall

fall upon the owner, developer, contractor, or any and all other responsible parties involved in the land disturbance activity.

8.6 DAMS

Any land disturbing activity that involves a property which is proposed to contain a dam shall comply with the provisions of this Article as well as the provisions contained in Article 3, Section 3.1 of these Regulations.

8.6.1 New Dams Which Become Subject To The Requirements Of The Georgia Safe Dams Act And Rules For Dam Safety.

Dams proposed to be 25 feet or more in height or proposed to have an impounding capacity of 100 acre-feet or more at maximum water storage elevation shall be subject to the following:

a. The developer of any new dam in which development exists within the proposed breach zone shall be subject to the requirements of the Georgia Safe Dams Act and Rules for Dam Safety adopted by the Georgia Department of Natural Resources. The developer shall obtain necessary approvals and permits from the Environmental Protection Division of the Georgia Department of Natural Resources for the project and the dam prior to securing a Development Permit from the Department. The developer of any new dam as to which development does not exist within the proposed breach zone shall submit construction plans to Peachtree Corners for review of the project and the dam prior to securing a Development Permit from the Department.

b. If the developer elects to construct the new dam in accordance with the design standards for new dams as contained in the Rules for Dam Safety, then new development shall be permitted within the dam breach zone. However, the dam shall meet the design standards for new dams as contained in

the Rules for Dam Safety if development currently exists or is proposed in the dam breach zone.

c. If the developer elects not to construct the new dam to the design standards for new dams as contained in the Rules for Dam Safety, then a dam breach analysis for the dam shall be submitted along with the construction plans for review prior to securing a Development Permit from the Department. The professional engineer shall utilize the computer model entitled "DAMBRK" for the dam breach analysis.

d. Should the new dam not meet the design standards for new dams as contained in the Rules for Dam Safety, then only the following uses and structures shall be permitted within the dam breach easement:

(1) Agriculture which requires no structures for human habitation within the dam breach zone including forestry, livestock raising, and agricultural and forestry access roads.
(2) Fences.
(3) Outdoor advertising signs provided they are located no closer than 100-feet from any residence or place of business.
(4) Roads, driveways and parking areas.
(5) Utility poles, towers, pipelines, water treatment outfalls and facilities, or other similar facilities and structures.

e. For any new dam that is proposed not to meet the design for new dams as contained in the Rules for Dam Safety, the developer shall obtain a dam breach easement, recorded with the Clerk of Superior Court, from any offsite property owner where it is proposed for the dam breach zone to extend off the property where the dam is being constructed. The developer shall also cause a dam breach easement to be recorded upon the property being developed.

f. Prior to recording of a Final Plat or issuance of a Certificate of Occupancy, as appropriate, an as-built certification from a professional engineer shall be submitted to the Department. The certification shall state that the dam is constructed in accordance with the provisions of these regulations as well as the authorized construction plans. If the project is for the development of a subdivision, the developer shall also establish a legal entity, acceptable to the City, such as a mandatory Property Owners Association, prior to approval of the Final Plat, responsible for the maintenance of the dam and its impoundment.

8.6.2 New Dams Subject to Regulation by Peachtree Corners.

Dams proposed to be 9 feet or more in height, but less than 25 feet in height, in combination with an impounding capacity proposed to be 20 acre-feet or more at maximum water storage elevation, but less than 100 acre-feet, shall be subject to the following:

a. If the developer elects not to construct the new dam to the design standards for new dams as contained in the Rules for Dam Safety, then a dam breach analysis for the dam shall be submitted with the construction plans for review and authorization prior to securing a Development Permit from the Department. The professional engineer shall utilize the computer model entitled "DAMBRK" for the dam breach analysis.

b. Should the new dam not meet the design standards for new dams as contained in the Rules for Dam Safety, then only the following uses and structures shall be permitted within the dam breach zone:

(1) Agriculture which requires no structures for human habitation within the dam breach zone including forestry, livestock raising, and agricultural and forestry access roads.

(2) Fences.
(3) Outdoor advertising signs provided they are located no closer than 100-feet from any residence or place of business.
(4) Roads, driveways and parking areas.
(5) Utility poles, towers, pipelines, water treatment outfalls and facilities, or similar facilities and structures.

c. If the developer elects to construct the new dam in accordance with the design standards for new dams as contained in the Rules for Dam Safety, then new development shall be permitted within the dam breach zone. However, the dam shall meet the design standards for new dams as contained in the Rules for Dam Safety if development currently exists or is proposed in the dam breach zone.

d. Construction plans for new dams defined herein shall be submitted to Peachtree Corners for review for the project and the dam prior to securing a Development Permit from the Department.

e. For any dam that is proposed not to meet the design standards for new dams as contained in the Rules for Dam Safety, the developer shall obtain a dam breach easement, recorded with the Clerk of Superior Court, from any offsite property owner where it is proposed for the dam breach zone to extend off the property where the dam is being constructed. The developer shall also cause a dam breach easement to be recorded upon the property being developed.

f. Prior to recording of a Final Plat or issuance of a Certificate of Occupancy, as appropriate, an as-built certification from a professional engineer shall be submitted to the Department. The certification shall state that the dam is constructed in accordance with the provisions of these regulations as well as the authorized construction plans. If the project is for the development of a subdivision, the developer shall

also establish a legal entity, acceptable to Peachtree Corners, such as a mandatory Property Owners Association, at time of recording of the Final Plat, responsible for the maintenance of the dam and its impoundment.

8.6.3 Existing Dams.

Existing dams that are located on a project site and will remain after construction is complete, shall comply with the provisions of this article and all referenced articles as if they were new dams.

8.6.4 Existing Category II Dams.

When an existing Category II dam may be reclassified to a Category I dam because of a proposed development downstream of the dam, the following shall be provided by the developer for review by the Georgia Safe Dams Program.

a. Location of the Category II dam and the proposed development; and,

b. A surveyed cross-section of the stream valley at the location of the proposed development including finished floor elevations; and,

c. A dam breach analysis using the Dambreak computer model to establish the height of the floodwave in the downstream floodplain. The Dambreak modeling shall be completed in accordance with the Safe Dams Program Quality Assurance Program by a professional engineer.

8.7 EXTENDED DETENTION FACILITIES

a. Easement Requirements.

Easement requirements shall be as specified in Section 8.2.5 of these regulations with the change that the easement enclosing the facility shall be named a Best Management Practice (BMP)

easement.

b. Professional's Certification and Record Drawings.

A certified record survey of each facility shall be prepared by an authorized registered professional currently registered in the State of Georgia. A certified record drawing of the facility shall be prepared based upon this survey. The authorized registered professional shall certify that the facility functions hydraulically as designed. The record drawing shall be submitted to the department at least one week prior to the issuance of a Certificate of Occupancy or Final Plat approval (as appropriate to the project). Record drawings of off-site facilities shall be recorded at least one week prior to the recording of the Final Plat.

8.7.1 Wet And Extended Detention Facility Maintenance.

Maintenance requirements shall be as specified in Section 8.2.6 of these regulations.

8.8 STREAM BUFFERS AND IMPERVIOUS SURFACE SETBACKS

Refer to the Zoning Resolution for buffer and impervious surface setback requirements from streams.

8.9 WATER QUALITY BEST MANAGEMENT PRACTICES

8.9.1 Treatment of Runoff.

All projects, unless exempt pursuant to 8.9.1.c below, that meet one or more of the following criteria, shall provide water quality treatment based on the modeled Total Suspended Solids (TSS) load of the project for post construction conditions. The determination of the TSS load shall be in accordance with the Stormwater Systems and Facilities Installation Standards and Specifications.

a. The modeled TSS load shall not exceed 850

pounds/acre/year.

i. New development that involves the creation of 5,000 square feet or more of impervious cover, or that involves other land development activities of 1 acre or more;
ii. Land development activities that are smaller than the minimum applicability criteria set forth in item i above, if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules.
iii. Utility projects such as electrical, gas, water and sanitary sewer line installations that do not require detention.
iv. Activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used.

b. Runoff from any new development, regardless of size, that is defined by the Director of Water Resources to be a hotspot land use or activity shall be adequately treated and addressed through the use of structural storm water controls, nonstructural practices and pollution prevention practices.

c. The following activities are exempt from providing treatment:

i. Individual single-family or duplex residential lots that are not part of a subdivision or phased development project;
ii. Additions or modifications to existing single-family or duplex residential structures; and,
iii. Repairs to any storm water management facility or practice deemed necessary by the Director of Water Resources.

8.9.2 Facility Location Criteria.

a. Facility location criteria shall be as specified for detention facilities in Section 8.2.4 of these regulations.

b. In a residential subdivision, the following Best Management Practices must be located on a separate lot in accordance with Section 8.2.4.g if not located on a recreation area lot as specified in 8.2.4.f:

(1) Extended detention ponds;
(2) Retention ponds;
(3) Sand filters;
(4) Constructed wetlands;
(5) Infiltration trenches;
(6) Oil/grit separators.

8.9.3 Easement Requirements.

a. Facility easement requirements shall be as specified in Section 8.2.5 of these regulations with the exception that the easement enclosing the facility shall be named a Best Management Practice (BMP) easement.

b. Stream Buffer Easements shall be shown on the final plat for areas that are claimed in the TSS model as Undisturbed Stream Buffers for the site. These areas shall be left in a natural, undisturbed condition except for walking trails. Trails shall not be allowed within 25 feet of a stream bank without a state waters buffer variance.

c. Upland Area Easements in non-residential subdivisions that are claimed as undisturbed upland areas for the site, shall be recorded in an easement acceptable to the City. These areas shall be left in a natural, undisturbed condition except for walking trails.

8.9.4 Facility Maintenance.

a. Maintenance requirements shall be as specified in Section 8.2.6 of these regulations.

b. Prior to or concurrent with the recording of a Final Plat for a subdivision, or issuance of a Certificate of Occupancy for a non-subdivision project, the developer shall provide acceptable surety such as a bond or letter of credit providing for the maintenance of the facility for a period of not less than 18 months. The amount of the surety shall be the greater of fifty (50) percent of construction costs of the facility or 100 percent of the cost to clean out the facility. At the end of 18 months, the City may require the surety to be renewed due to anticipated maintenance caused by such concerns as future construction activity in the basin draining to the facility. A renewed surety may be required up to a total maximum of ten (10) years. The surety for a facility shall be renewed during the ten years until:

(1) The surface water drainage area within the project has undergone final stabilization and all planned construction activity has been completed;
(2) All storm water runoff in the surface water drainage area within the project is coming from undisturbed or stabilized areas;
(3) At least 90% of the lots in that surface water drainage area within the project have been sold to an unrelated party, permanent structures completed and final stabilization achieved;
(4) The accumulation of acreage of undeveloped lots, lots with no completed permanent structure and no final stabilization, within the surface water drainage area within the project is less than five acres or 10 percent of the total area of the common

development draining to the facility, whichever is greater; and,

(5) Within two (2) months of surety release, the facility shall be cleaned out, if necessary, and a new record survey, drawing and certification showing that the volume of the facility is equal to or greater than the volume shown in the record survey, drawing and certification when the facility was approved. As an alternative, a new record survey, drawing and certification showing that the facility complies with these regulations as specified in Section 8.2.8 shall be submitted.

8.9.5 Facility Certification and Record Drawings.

Requirements for a certified record survey and addendum to the Storm Water Management Report shall be the same for water quality facilities as for detention facilities in section 8.2.8.

8.10. REDEVELOPMENT

8.10.1 Storm Water Management.

Redeveloped sites must follow the guidelines set forth in the Peachtree Corners Stormwater Systems and Facilities Installation Standards and Specifications. The standards within this section apply to all redevelopment sites that meet one or more of the following criteria:

a. Redevelopment that includes the creation, addition, or replacement of 5,000 square feet or more of impervious cover, or that involves other land development activity of one (1) acre or more;

b. Any redevelopment, regardless of size, that is defined by the Department of Planning and Development Director or designee to be a hotspot land use; or,

c. Land development activities that are smaller than the minimum applicability criteria set forth in item (a) above if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules.

8.10.2 Storm Water Management Report Required.

a. The purpose of a Storm Water Management Report is to support the redevelopment of the project site using Best Management Practices and diligent engineering. The report must follow the guidelines set forth in the Peachtree Corners Stormwater Systems and Facilities Installation Standards and Specifications and is required for all redevelopment projects. The report shall be certified by a qualified registered professional in the State of Georgia. The Storm Water Management report shall be in accordance with the criteria specified in Section 8.2.1.

8.10.3 Water Quality Treatment.

a. Treatment of stormwater runoff for the purposes of water quality shall be in accordance with the criteria specified in the Peachtree Corners Stormwater Systems Facilities Installation Standards and Specifications under the following conditions:

i. Water quality requirements of this section must be met for the entire site when 5,000 square feet or more of impervious surface is created, replaced or added, or 1 acre or more of a developed project site is disturbed for redevelopment, and the disturbed area is more than 50% of the property.

ii. Water quality requirements of this section must be met for the improvements on the site only when 5,000 square feet or more of impervious surface area is created, replaced or added, or 1 acre or more of a developed project site is disturbed for redevelopment, and the disturbed area is less than 50% of the property.

iii. The project is exempt from having to provide the water quality requirements of this section for the project or for the rest of the site when less than 5,000 square feet of impervious surface area is created or added, or less than 1 acre~~s~~ of land of a developed project site is disturbed for redevelopment.

b. Facility location shall be in accordance with the criteria specified in Section 8.9.2.

c. Easement requirements shall be in accordance with the criteria specified in Section 8.9.3.

d. Facility maintenance shall be in accordance with the criteria specified in Section 8.9.4.

e. Facility certification and record drawings shall be in accordance with the criteria specified in Section 8.9.5.

8.10.4 Storm Water Detention Required.

Storm water management for a redeveloped project site shall be provided in accordance with the criteria specified in the Peachtree Corners Stormwater Systems and Facilities Installation Standards and Specifications under the following conditions:

a. Protection of stream channels from bank and bed erosion and degradation shall be provided by using all of the following three approaches:

i. Preservation, restoration and/ or reforestation (with native vegetation) of

the applicable stream buffer;

ii. Erosion prevention measures such as energy dissipation and velocity control;

iii. 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event (channel protection volume).

b. Downstream overbank flood and property protection shall be provided by controlling (attenuating) the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour return frequency storm event.

c. Extreme flood and public safety protection shall be provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated.

8.10.5 Use of Existing Detention Facilities.

a. Where water quality treatment for a proposed redevelopment is to be provided in an existing detention facility, treatment must be provided for the original project area. A modification to the 25-year detention requirement may be granted for the purpose of retrofitting the detention facility to meet current water quality regulations. Granting a modification will meet the intent and purpose of these regulations when:

(1) The detention requirements of the current regulations are provided in the facility for the 1-year, 2-year, 5-year and 10-year storm. For a retrofitted facility, the volume of the 1-year storm shall be based on the original project area being detained instead of the total area draining to the facility;

(2) The water quality requirements of the current regulations as stated in section 8.9 are provided for the original project area in the facility;

(3) The 25-year ponding limits create a hardship if no modification is granted; and,

(4) The outlet structure meets the requirements of the current regulations.

b. Where stormwater is treated in a regional water quality facility approved between April 27, 1999 and January 1, 2001, lots in non-residential subdivisions (or phases in residential subdivisions) shall either conform to the permit and water quality regulations at the time of approval or conform to the current water quality regulations as stated in section 8.9.

c. Where stormwater is treated in a regional detention facility approved before April 27, 1999, lots in non-residential subdivisions (or phases in residential subdivisions) shall conform to the current water quality regulations as stated in section 8.10.3.

8.10.6 Redevelopment Improvement Areas.

Credits and corresponding water quality volume decreases may be given for demonstrable and equivalent TSS reductions resulting from stream restoration and habitat improvement projects along the same tributary or in the same basin downstream from the redevelopment.

ARTICLE 9
PERFORMANCE GUIDELINES

9.1 GENERAL

9.1.1 Purpose.

The sections enumerated in this article are guidelines, and are intended to be benchmark indicators of what standards could be acceptable. They are further intended to allow alternate designs which could produce results similar to these performance standards and similar protection to the public. The objective of these performance standards is not to suggest a single methodological standard of acceptance exclusive of all others. Rather they establish what would otherwise be allowed in the absence of an acceptable alternative.

9.1.2 Constraints.

The alternative design solutions are constrained by the Design Requirements of Article 5, the Access Requirements and Street and Right-of-Way Requirements and the Street Construction Standards of Article 6, and the Grading, Detention, Drainage Requirements of Article 8, as well as the Purpose and Intent of these Regulations.

9.1.3 Documentation Required.

In the event that an alternative is suggested by the applicant, studies and reports conducted by professionals currently certified in the State of Georgia will be required to be submitted to and approved by the Department. These studies and reports must clearly relate to the desired results and purposes expressed or implied in the applicable performance standard. Once an alternative has been approved by the Department, it shall become a required standard applicable to the specific approved permit only.

9.2 LOTS

9.2.1 Lots design, HLP, RDP and RDS.

Lots should be designed generally such that they are no more than four times as deep as they are wide at the building setback line, unless excepted by the Director.

a. The Department may require notation that a House Location Plan (HLP) is required to be approved prior to issuance of a building permit on certain lots when particular care in locating the house or other improvements will be necessary. Such lots include, but are not limited to:

(1) a lot which presents particular or unusual difficulties for a builder to meet minimum required building setbacks;
(2) a lot upon which is located an easement of unusual configuration;
(3) a lot containing floodplain but upon which no fill or other encroachment into the floodplain is anticipated at the time the Final Plat is filed;
(4) a lot upon which is located all or a part of a stormwater detention facility;
(5) a lot upon which is located a buffer which was required by the Zoning Resolution as a condition of zoning approval;
(6) all duplex lots;
(7) all lots within, or partially within, the Chattahoochee River Corridor, or containing a River Corridor Tributary Buffer Zone.

b. The Department may require notation that a Residential Drainage Plan (RDP) is required to be approved prior to issuance of a building permit on certain lots where additional (site specific) engineering will be necessary to properly grade the lot or locate the building or other improvements. Such lots include, but are not limited to:

(1) a lot containing floodplain where fill or other encroachment into the floodplain is planned or reasonably expected;
(2) a lot containing severe topographic features interdicting the building site;
(3) a lot containing a drainage easement with a pipe discharge or other facilities, or flow characteristics which may adversely affect the location of a building or other site improvements.

c. The Department may require notation that a Residential Drainage Study (RDS) is required to be approved prior to issuance of a building permit on certain lots where particular attention to site grading will be necessary, but formal engineering is not needed. Such an RDS is conducted in the field where the effect of the site grading must be accomplished with adequate care so as not to create a drainage problem on neighboring property.

9.2.2 Side Lot Lines.

Side lot lines generally should be at right angles (90 degrees) to straight street lines or radial to curved street lines as much as practical. Side lot lines should be radial to the radius points of all cul-de-sacs. Variations of more than 10 degrees shall require approval of the Department, but shall be approved when appropriate to the reasonable loading pattern of the subdivision, efficient use of the land relative to topographic conditions, or provisions of improved building sites over those which would result without variation of the side lot lines.

9.2.3 Corner Lots.

Corner lots shall be sufficiently larger so that they have the same width between minimum side setback lines as an interior lot, but in no case shall more than 75 feet between side setback lines on a corner lot be

required.

9.3 BLOCKS

9.3.1 Length, Width and Shape.

The lengths, widths, and shapes of blocks shall be determined with regard to:

a. Provision of adequate building sites suitable to the special needs of the type of use contemplated,

b. Applicable zoning requirements as to lot size and dimensions,

c. Needs for convenient access, circulation, control, and safety of street traffic,

d. Limitations and opportunities of topography.

9.3.2 Pedestrian Access.

In blocks over 1,000 feet long, the Director may, when existing or proposed pedestrian circulation patterns or public gathering places so justify, require pedestrian ways or pedestrian access easements, as appropriate, through the block.

9.4 ACCESS

9.4.1 Mixed-Use Redevelopment (MUR) Overlay District.

Developments in a MUR Overlay District shall be designed with vehicle and pedestrian access between or among all uses within the development and between or among all contiguous external commercial, office, or multifamily property, developed or undeveloped. The Director may grant a Modification if it is demonstrated that a specific inter-parcel connection is not feasible due to traffic safety, topography or other development consideration.

9.5 ROADWAY DESIGN

9.5.1 Street Grades and Design Speeds.

a. Minimum grade for all local and minor collector streets shall be 1.5%. Minimum grades for all major collector and arterial streets shall conform to Georgia D.O.T. practice.

b. Minimum grade of less than 1.5% on a local street may be approved by the Department, based on adequate engineering designs, where at least 1.5% cannot reasonably be achieved due to topographical limitations imposed by the land. In such cases, a Record Drawing and such computations as necessary shall be provided after construction to establish that the street will drain in accordance with these Regulations. Street sections where unacceptable pooling, excessive spread at catch basins, or other hazardous conditions occur shall be reconstructed or otherwise improved to eliminate such conditions.

c. Minimum vehicle design speeds and maximum grades allowable in Peachtree Corners by street classification shall be as shown in Table 9-A.

d. Maximum grade on any cul-de-sac turnaround shall be 6%.

TABLE 9-A
MINIMUM DESIGN SPEEDS AND MAXIMUM GRADES

STREET CATEGORY	MAXIMUM GRADE	DESIGN SPEED
Principal Arterial	6%	60 MPH
Major Arterial	8%	50 MPH
Minor Arterial	10%	40 MPH
Major Collector	10%	40 MPH
Minor Collector	10%	30 MPH
Local	15%*	20 MPH

* Grades between 12% and 14% shall not exceed a length of one hundred and fifty feet (150') and shall require an "as graded" survey prior to the installation of the curb or utilities. The distance shall be measured as the tangent length between points of curvature.

9.5.2 Vertical Street Alignment.

a. All changes in street profile grades having algebraic difference greater than 1% shall be connected by a parabolic curve having a minimum length (L) equal to the product of the algebraic difference between the grades in percent (A) and the design constant (K) assigned to the street according to its category (i.e., L=KA).

b. Constant (K) values are shown in the Table 9-B for both desirable and minimum acceptable ("hardship") conditions. In all cases, the "desirable" value shall be used, unless it cannot be achieved due to topographic conditions beyond the developer's control. In such hardship situations, the Department may approve a lesser value to the extent required by the hardship situation, but in no event less than the value shown in the Table as "minimum."

TABLE 9-B
CONSTANT (K) VALUES FOR VERTICAL CURVES

	CREST CURVES		SAG CURVES	
STREET CATEGORY	MINIMUM	DESIRABLE	MINIMUM	DESIRABLE
Principal Arterial	200	320	125	155
Major Arterial	100	170	80	110
Minor Arterial	55	80	55	70
Major Collector	55	80	55	70
Minor Collector	30	30	35	35
Local	10	10	20	20

9.5.3 Horizontal Street Alignment.

b. All new streets shall adhere to the following standards governing horizontal curvature and superelevation:

TABLE 9-C
HORIZONTAL CURVES

STREET CATEGORY	MINIMUM RADIUS (FT)	MAXIMUM SUPERELEVATION
Principal Arterial	1333	0.06
Major Arterial	833	0.06
Minor Arterial	560	0.04
Major Collector	560	0.04
Minor Collector	300	0.04*
Local	120	0.00

* No superelevation will be allowed on Minor Collectors internal to residential subdivisions.

b. Superelevation for horizontal curves shall be calculated utilizing the following formula:

R = minimum radius curve
v = vehicle design speed (MPH)
e = rate of superelevation (decimal of a foot rise per foot roadway)
f = side friction factor

$$R = \frac{v^2}{15\ (e + f)}$$

Vehicle Design Speed (v)	30	40	50	60
Side Friction Factor (f)	.16	.15	.14	.12

c. Widening section along existing streets shall be designed reflecting existing curvature and superelevation, if any, unless the existing street has been included in a specific design by the City or Georgia D.O.T. which calls for different standards, in which case the project will be coordinated with the overall design.

d. Superelevation Runoff

Roadway edge curves shall be provided for tangent runout (bringing edge from a normal crown to centerline elevation) and superelevation runoff (from the end of tangent runout to the point of design superelevation) in accordance with design standards of the Georgia Department of Transportation or other professional engineering standards.

e. Tangents and Compound Curves

Between reverse horizontal curves there shall be not less than the minimum centerline tangents shown in Table 9-D unless otherwise specified by the Georgia Department of Transportation. Compound radii curves are prohibited. At least the "desirable" length shall be provided unless hardship conditions of topography or property configuration will not allow lengths greater than those shown as "minimum." For compound circular

curves, the ratio of the flatter radius to the sharper radius shall not exceed 1.5 to 1.

TABLE 9-D
TANGENTS

STREET CATEGORY	MINIMUM TANGENT LENGTH	DESIRABLE TANGENT LENGTH
Principal Arterial	150	180 Feet
Major Arterial	125	150 Feet
Minor Arterial	100	120 Feet
Major Collector	100	120 Feet
Minor Collector	75	90 Feet
Local	50	60 Feet

NOTE: Minimum tangents are based on the distance traveled in 1.7 seconds at the design speed for each category of street. Desirable length is based on distance traveled in 2.0 seconds.

9.5.4 Horizontal and Vertical Clearances.

a. Horizontal Clearances

(1) A shoulder of no less than 11 feet from the back of curb or edge of pavement, appropriately graded and having gentle slopes of not more than 0.5 inch per foot and rounded cross-sectional design shall be maintained along all streets. Beyond the shoulder but within the right-of-way, slopes shall not exceed one foot of rise for each two feet of horizontal distance on a cut slope, and one foot of fall for each three feet of horizontal distance on a fill slope.

(2) Along all public streets, a clear zone shall be provided for a minimum distance of six (6) feet from back of curb or edge of pavement wherein nothing may be located above ground level except traffic/street

signs, public utility structures, and mail boxes.

(3) At selected locations, such as the outside of a sharp curve a wider clear zone with greater horizontal clearances provided to any roadside obstruction may be required.

(4) The Department of Transportation, in accordance with Georgia Law 32-6-51, is authorized to remove or direct the removal of any sign, signal, device, or other structure erected, placed, or maintained on the right-of-way of a public road which because of its nature, construction, or operation, constitutes a danger to, or interferes with the vision of, drivers of motor vehicles.

b. Vertical Clearances

Vertical clearance at underpasses shall be at least 14.5 feet over the entire roadway width.

9.5.5 Traffic Calming for Local Residential Streets.

Subdivision streets shall be designed in accordance with the Peachtree Corners Traffic Calming Guide so as to encourage and maintain maximum operating speeds in the 25-30 mph range. The maximum length of roadway section between speed control points, as defined by the Traffic Calming Guide, shall be 500 feet.

The traffic-calming plan is subject to review and approval by the Department of Transportation. The Director of the Department of Transportation may grant modifications.

9.6 STREET INTERSECTIONS

9.6.1 Angle of Intersection.

Intersections shall generally be at right angles and shall not be at an angle of less than 85 degrees unless approved by the Department, nor less than 80

degrees unless the intersection is signalized in which case the angle of the intersection may be reduced subject to the review and approval of the Traffic Engineer.

9.6.2 Maximum Grade.

Street intersections should be designed with a flat grade wherever possible, but in no case should the grade exceed 2% in normal situations (or 4% in topographical hardship situations on local streets).

9.6.3 Intersection Approaches: Horizontal Alignment.

a. New local streets which approach an intersection with a street in a category higher than itself on a horizontal curve having a centerline radius less than 240 feet shall provide a tangent section of roadway at least 30 feet long. Minor collectors approaching an intersection with a major thoroughfare on a horizontal curve having a centerline radius of less than 550 feet shall also provide the 30 foot tangent section. The tangent length shall be measured along the centerline of the street, from the right-of-way line of the intersecting street, extended, to the point of tangency with the centerline of the curve section.

b. New major thoroughfares shall provide tangent sections at intersections with streets in equal or higher categories as needed to provide adequate stopping distances at their design speeds.

9.6.4 Intersection Approaches: Vertical Alignment.

a. For intersections with local or minor collector streets, a leveling of the street at a grade not exceeding 2 percent shall be provided but no level approach distance is required for streets approaching at less than 7 percent, and a minimum 25 foot level approach distance shall be provided

for streets approaching at a grade of 7 percent or more. (See Standard Drawings).

c. As a street approaches an intersection with a major thoroughfare, there shall be a suitable leveling of the street at a grade not exceeding 2 percent and for a distance not less than the following minimums:

TABLE 9-E
APPROACH DISTANCES AT MAJOR INTERSECTIONS

APPROACHING STREET CATEGORY	MINIMUM APPROACH DISTANCE
Principal Arterial	100 Feet
Major Arterial	100 Feet
Minor Arterial	100 Feet
Major Collector	75 Feet
Minor Collector	75 Feet
Local	50 Feet

*Distance of the approach is measured from edge of pavement of the intersecting street to the point of curvature in the approaching street.

9.6.5 Intersection Radii.

Intersection radii for roadways measured at back of curb and for the right-of-way lines shall be as follows. For intersecting streets of difference classification, the larger radii shall be provided. In all cases, adequate right-of-way shall be provided to maintain minimum of 11 feet from back-of-curb. Larger radii may be required for streets intersecting at angles less than 90 degrees.

TABLE 9-F
INTERSECTION RADII

STREET CATEGORY	ROADWAY RADII	R/W RADII
Arterial	40 Feet	20 Feet
Major Collector	40 Feet	20 Feet
Minor Collector-Residential	25 Feet	9 Feet
Minor Collector-Nonresidential	40 Feet	20 Feet
Local-Residential	20 Feet	9 Feet
Local-Commercial or Office	25 Feet	11 Feet
Local-Industrial	40 Feet	25 Feet

*Intersecting right-of-way lines may be joined by an arc having the minimum radius shown, or by a miter which cuts across the right-of-way lines connecting the points where the required radius would have otherwise been tangent.

9.6.6 Islands.

Islands in street intersections shall conform to the design requirements of the standard drawings. In no case shall anything in an island extend more than 3 feet above the street grade within the right-of-way, except traffic regulatory devices and other infrastructure erected or approved by Peachtree Corners. No island shall be approved which contains less than
100 square feet.

9.6.7 Intersection Corner Sight Distance.

a. Intersections shall be designed with adequate corner sight distance for each street which approaches a street in an equal or higher street category (except an intersection of two local streets). Where necessary, backslopes shall be flattened and horizontal or vertical curves lengthened to provide the minimum required sight distance.

b. The minimum corner sight distance from the approaching street shall be equal to or exceed 10 times the regulated speed of the intersecting street, as measured from the center of the approaching street in both directions along the right-of-way line of the intersecting street. As an alternative, the minimum corner sight distance requirement may be calculated using AASHTO "Policy on Geometric Design of Highways and Streets," Chapter 9 (at-grade intersections), latest edition. The sight distance shall provide clear visibility of an object 4 feet above the intersecting street viewed from the centerline of the approaching street at the right-of-way line of the intersecting street, at a height of 3.5 feet above the ground.

9.6.8 Obstructing Visibility at Intersections.

On any corner lot, within an area formed by the lot lines on the street sides of such lot and a line (miter) joining points on such lot lines located at a distance of 20 feet from the point of their intersection, the following shall apply:

a. There shall be no fence or wall or hedge higher than three feet.
b. There shall be no obstruction to vision, other than a post or column or tree (except standards erected by Peachtree Corners) not exceeding one foot in greatest cross-sectional dimension, between a height of three feet and a height of 15 feet above the established grade of either of the intersecting streets.

9.6.9 Turning Lanes at Intersections.

Left turning lanes shall be provided on all new internal project streets, classified as a minor collector or major thoroughfare, intersecting a major thoroughfare, and may be required in other locations to meet traffic demand and safe operations. Right turning lanes may be required to meet traffic demands

or safety concerns. When provided, turning lanes shall meet the following criteria:

a. Storage length - A minimum of 150 feet of storage length for turning lanes on any arterial roadway shall be used. A minimum of 100 feet of storage length for turning lanes on all collectors shall be used.

b. Taper Length - The minimum taper length shall be 50 feet.

c. Left turning lanes from arterial roads shall be subject to longer storage lengths and tapers an as determined on a case by case basis.

9.7 DRIVEWAY INTERSECTIONS

9.7.1 Angle and Improvements.

Driveways shall generally intersect streets at right angles. The portion of a driveway located within a public right-of-way shall be paved, if any. Driveways providing access to parking lots which contain six (6)more spaces shall be paved in accordance with the parking lot requirements of the Zoning Resolution.

9.7.2 Driveway Design Standards.

a. Driveways serving single-family detached or duplex residences may be no less than ten feet wide at the right-of-way line and shall provide a radius to the back of curb or edge of pavement of the roadway of no less than five feet. All other driveway curb cuts on public streets shall conform to the standards shown on the driveway details contained in the Standard Drawings, by land use type as follows:

(1) Driveway Detail 1 (32' Width, 25' Radius) for:
(a) Service Stations;
(b) Commercial Sites (over 80,000 Square

Feet);
(c) Office/Institutional Complexes (Over 100,000 Square Feet);
(d) Apartment/Condo Complexes (Over 200 Units); and;
(e) Mobile Home Complexes (Over 200 Lots).

(2) Driveway Detail 2 (28' Width, 25' Radius) for:
(a) Commercial Sites (80,000 Square Feet or Less);
(b) Office/Institutional Complexes (100,000 Square Feet or Less);
(c) Apartment/Condo Complexes (200 Units or Fewer); and,
(d) Mobile Home Complexes (200 Lots or Fewer)

(3) Driveway Detail 3 (32' Width, 40' Radius) for:
(a) Industrial Sites

(4) Driveway Detail 4)Optional Design with Island) for:
(a) Private Commercial/Office Street Entrances;
(b) Private Entrances to Apartment/Condo Complexes (Over 200 Units); and,
(c) Private Entrances to Mobile Home Complexes (Over 200 Lots).

b. All driveways and driveway curb cuts on State highways shall conform to Georgia DOT standards unless City requirements are more restrictive.

9.7.3 Auxiliary Lanes.

Along any major thoroughfare, a deceleration lane, acceleration lane, larger turning radius, traffic islands, or other devices or designs may be required to avoid specific traffic hazards which would otherwise be created by the proposed driveway location.

9.7.4 Corner Sight Distance.

All driveways approaching a minor collector or major thoroughfare shall provide adequate corner sight distance. The minimum corner sight distance from the driveway shall be equal to or exceed 10 times the regulated speed of the intersecting street, as measured from the center of the driveway in both directions along the right-of-way line of the intersecting street. As an alternative, the minimum corner sight distance requirement may be calculated using AASHTO "Policy on Geometric Design of Highways and Streets," Chapter 0 (at-grade intersections), latest edition. The sight distance shall provide clear visibility of an object 4 feet above the intersecting street viewed from the centerline of the driveway at the right-of-way line of the intersecting street, at a height of 3.5 feet above the ground.

9.7.5 Separation and Spacing.

All driveways except those serving residential units on individual lots shall be recommended to meet the following criteria:

a. Minimum separation from a street intersection: 100' from centerline of driveway to nearest right-of-way line of the intersecting street, extended. For any driveway on a major thoroughfare having a centerline between 100' and 200' from the intersecting street right-of-way line, access restriction may be imposed to avoid traffic hazards. Greater separation may be required for safe operation of a free-right lane, acceleration or deceleration lane, etc.

b. Minimum separation between driveways along the same side of a major thoroughfare: 100' between centerline as measured along the roadway edge or back of curb.

c. Whenever possible, proposed driveways along one

side of a street shall coincide with existing or proposed driveways on the opposite side of such street.

d. Maximum number of driveways serving a single project: one (1) for each 400' of property frontage, or fraction thereof per street, along a major thoroughfare. This is not meant to be a spacing standard but only an expression of the total number of driveways that are permitted serving a single project.

9.8 STORMWATER DETENTION GUIDELINES

9.8.1 General.

a. Storm water detention facilities shall be designed so that their peak release rates, when combined with those of all detention bypass areas in the same basin, produce peak flowrates and flow velocities at the site's boundary line no greater than those which occurred at the same location for pre-developed conditions.

b. The positive effects of storm water management via on-site detention facilities diminish rapidly as the distance downstream from the point of discharge increases, and the smaller the facility's contribution is, as a percentage of the total runoff contributing to downstream flow, the shorter the distance downstream that the benefits are realized. Because of these limitations, on-site detention is effective at controlling flooding only when flow from the facility is a significant percentage of the total flow at the point of interest, and only if the point of interest is immediately downstream. The concepts of immediately downstream and significant percentage of total flow are inseparable. The portion of a receiving watercourse (one which receives and conveys runoff from a site) which lies downstream from the site to the point where the area of the site is 10 percent of the total drainage area,

shall generally be considered to constitute that portion of the watercourse which is immediately downstream. However, the total flow in the receiving watercourse may become very large, relative to the flow contributed by the site, within a much shorter distance. For this reason, the significant percentage test must also always be applied. For purposes of these Regulations, the flow from a site represents a significant percentage of the total flow in a watercourse only when the ratio of the peak flow rate from the site to the peak flow rate in the watercourse (including the contribution from the site) is greater than 5 percent.

c. Peak flowrate control shall normally be provided only for the 2-year, 5-year, 10-year, and 25-year frequency storm events. However, under certain conditions, the 100-year event must also be detained to the pre-developed rate. Such control of the 100-year event shall be provided when failure to do so would result in flooding of other habitable dwellings, property damage, or public access and/or utility interruption.

d. For any storm water analysis, the composite "C" (Rational Method) or CN (SCS Method) used for analysis of pre-development conditions shall not exceed 0.15 or 55, respectively, unless prior approval has been obtained from the Department. A pre-design conference between the authorized registered professional and appropriate Department personnel, which may in certain straightforward cases be conducted via the telephone, is required.

e. Rational Method runoff coefficients used for analysis of pre- and post-development conditions shall be consistent with those shown in the Storm Water Design Manual.

9.8.2 Dam Design and Construction Criteria.

a. Detention facilities which take the form of normally-dry basins, ponds, or lakes usually are created by damming a drainage way or watercourse. Such dams can take a variety of different forms, the most common being earthen embankments and reinforced concrete walls. Each type of dam has different characteristics, and the selection of the most appropriate type for a particular site should be made by an authorized registered professional and based on the physical features of the dam site, the purpose of the dam, the type of impoundment, safety, and maintenance requirements.

b. For purposes of these Regulations, dams will be addressed separately for each of the three most frequently encountered types of detention facilities: normally-dry basins, ponds, and lakes. A normally-dry basin is one designed to impound storm water runoff for only a brief period of time following a storm event. The vast majority of the time the basin will be completely dry except for any normal stream flows which pass through unimpeded. Lakes and ponds, on the other hand, are designed to impound a body of water at least several feet in depth on a more-or-less permanent basis. Lakes and ponds vary from one another only in terms of magnitude. The magnitude of a lake is determined primarily from the height of its dam, the size of its contributing drainage area, and the volume of water it is capable of impounding. For purposes of these Regulations, a pond is any lake having a dam height of less than 9 feet and which is incapable of impounding more than 20 acre-feet of water.

c. All dam design shall be certified by a Professional Engineer currently registered in the State of Georgia.

d. Dams for normally-dry detention basins shall conform to the following:

(1) Dams for normally-dry detention basins may be constructed of earth, reinforced concrete, mortared rubble, or other suitable materials.
(2) The design of any concrete or rubble wall over 5 feet in height shall be certified by a structural engineer currently registered as a professional engineer in the State of Georgia, and the structural design shall be based on soil tests certified by a professional engineer.
(3) Any non-earthen structure shall be designed to prevent piping failure through its subgrade and abutments.
(4) The construction of walls over 5 feet in height shall be monitored and approved by a qualified materials testing company.
(5) Earthen dams for normally-dry detention basins shall have a top width of no less than 8 feet.
(6) For earthen dams for normally-dry detention basins, there shall be at least 1.5 feet of vertical separation between the 100-year ponding elevation in the basin and the low point on the top of the dam. One (1) foot of this distance is to provide a margin of safety against overtopping of the dam and the other 6 inches is to allow for settlement. Separation is not required for a non-earthen dam if it has been designed to overtop safely.
(7) More stringent design and construction criteria shall be used for dams for normally-dry detention basins whenever the probable consequences of dam failure are severe.

e. Dams for normally-dry ponds shall conform to the following:
Any professional engineer responsible for the design of a dam for a pond is expected to be knowledgeable of the criteria contained within

the Georgia Safe Dams Act, Georgia Department of Natural Resources "Rules for Dam Safety" publication, and the U.S.D.A. Soil Conservation Service's Technical Release No. 60 "Earth Dams and Reservoirs." The provisions of each are to be applied wherever applicable. Applicability shall be determined based upon site-specific constraints and downstream conditions. Consultation with appropriate Department personnel both prior to and throughout the design process is encouraged.

f. Dams for lakes shall conform to the following: Any professional engineer responsible for the design of a dam for a lake is expected to be thoroughly familiar with the criteria contained within the Georgia Safe Dams Act, Georgia Department of Natural Resources "Rules for Dam Safety" publication, and the U.S.D.A. Soil Conservation Service's Technical Release No. 60 "Earth Dams and Reservoirs." All design is to be in accordance with the applicable requirements contained in each of the above referenced publications.

9.8.3 Detention Facility Outlet Devices.

a. Because of the variables that may be associated with the choice of an outlet device for any given condition, the design consultant is responsible for the selection of the device, subject to the review and approval of the Department.

b. The Department will include in its consideration the ease of maintenance, longevity of the system, freedom from congestion, practicality, and aesthetics in its review of the outlet device. The consultant should be guided by the Departmental preference of vertical weir designs since they have proven to generally meet most of the considerations expressed herein.

c. Orifices shall not be smaller than 3 inches in

diameter. An orifice smaller than 15 inches in diameter shall be protected by a trash rack. A trash rack protecting an orifice shall have surface area of at least 10 square feet. Design shall be in accordance with the Storm Water Design Manual. No opening in the trash rack shall have an area more than one-half the size of the area of the orifice being protected. Two-stage trash racks, or screens having progressively smaller openings placed in series, are suggested. To facilitate outlet operation, curved or inclined trash racks designed to allow debris to rise with the water level are preferred. In all cases, trash racks shall be either hinged or removable to facilitate maintenance operations.

d. If the primary detention facility outlet is a conduit through a dam, and there is not an orifice, weir-box, or other flow-control device affixed to the upstream end, then the conduit shall be analyzed for both inlet and outlet control conditions. If an orifice or weir-box is affixed, then the conduit shall be analyzed to determine if any flows will occur for which outlet control conditions in the conduit, rather than the hydraulic characteristics of the flow-control structure, will determine the total flows occurring. In any case where the conduit through the dam is less than 15 inches in diameter, the trash rack provisions of "c" above shall be followed.

e. Unless the 100-year maximum flow velocity in a conduit through a dam forming a pond or a lake is less than 10 feet per second, and the hydraulic grade line for the 100-year condition is at or below the crown of the conduit for at least 90 percent of its length, the conduit must be equal or superior to Class V reinforced concrete pipe in its structural characteristics.

9.8.4 Emergency Overflow Requirements.

a. For every type of detention facility, a planned safe flowpath must be provided for conveyance of flows of water in excess of those for which the detention facility was designed. In many instances, this function can be provided through installation of an emergency spillway. Emergency spillways are usually excavated open channels, either vegetated or paved with reinforced concrete.

b. Every earthen dam shall be provided with an open-channel emergency spillway, unless all of the following apply:

(1) The principal spillway is a closed conduit having a cross-sectional area that can pass 125 percent of the 100-year storm routed peak discharge.
(2) The principal spillway is a closed conduit having a cross-sectional are of at least one square foot per each three acres of drainage area, or a maximum of twenty square feet of surface area, whichever is less.
(3) The principal spillway capacity is at least equal to the capacity required for an open channel emergency spillway.
(4) The low point of the dam crest is not in a fill section except for roadway embankments.
(5) A trash rack or other debris protection is provided on the outlet control.

c. Any portion of any emergency spillway excavated into a dam embankment or other fill section must be paved. Pavement material shall be either reinforced concrete or asphalt, as dictated by the design life of the dam and the potential consequences of its failure. Any portion of any emergency spillway excavated into natural ground shall be vegetated in accordance with the practices described in the "Manual for Erosion and Sediment Control in Georgia."

d. In determining the necessary dimensions of an open-channel spillway for a normally-dry basin, a pond, or a lake, the methodology contained in the "Earth Emergency Spillway Design Data" section of the "Manual for Erosion and Sediment Control in Georgia" should be used.

e. Emergency spillway capacity for dams shall be as follows:

(1) For normally-dry detention basins, ponds, and lakes, having a dam height of less than 9 feet and which are incapable of impounding more than 20 acre-feet of water, and for which the probable sequences of dam failure are not severe, an emergency spillway should be provided. Its capacity should be at least equal to the routed 100-year peak flow out of the detention facility assuming the principal spillway is blocked.

(2) For normally-dry detention basins, ponds, and lakes, having a dam height of 9 feet or more and which are capable of impounding 20 acre-feet or more of water, an emergency spillway should be provided. Its capacity should be at least equal to the greater of either the routed 100-year peak flowrate out of the facility assuming the principal spillway is blocked, or the routed one-fourth PMF hydrograph out of the facility. In cases when State or Federal regulations may require greater spillway capacity, those more stringent regulations shall govern.

f. Emergency overflow for non-earthen dams may take the form of planned structure overtopping. In such cases, however, care must be taken to prevent flows from eroding supporting soils along the toe of or immediately downstream from the dam so as the cause it to be undermined. The profile of the top of the dam shall be so designed as to prevent flows along the ends of the structure

that might result in abutment erosion.

9.8.5 Parking Lot Detention Facilities.

a. Parking lot detention facilities shall generally be of one of the two following types:

(1) Depressed areas of pavement at drop inlet locations; and,
(2) Ponding areas along sections of raised curbing. The curbing in these areas is usually higher than a standard curbed section.

b. The detention methodology utilized for all parking lot detention facility design shall conform to the Storm Water Design Manual.

c. Parking lot detention areas shall be located so as to restrict ponding to areas other than parking spaces near buildings, and to not encroach upon entrance drives.

d. The maximum depth of detention ponding in a parking lot, except at a flow control structure, shall be 6 inches for a 10-year storm, and 9 inches for a 100-year storm. The maximum depth of ponding at a flow control structure shall be 12 inches for a 100-year storm.

e. In truck parking areas, the maximum depth of ponding shall be 12 inches for the 10-year storm.

f. Detention ponding areas are to be drained within 30 minutes after the peak inflow occurs.

g. Parking lot detention areas shall have a minimum surface slope of 1 percent, and a maximum slope of 5 percent.

9.8.6 Underground and Rooftop Detention Facilities.

The design of underground or rooftop detention

facilities shall be in accordance with current engineering standard practice, and shall conform to the general spirit and intent of this Article. In the case of rooftop detention, permissible structural loads and weatherproofing shall be governed by the Georgia State Building Code as may be amended by the City.

9.8.7 Sediment Basins.

a. Stormwater management and sediment trapping functions should be separated whenever possible. Every erosion control design should seek to: first, prevent erosion from occurring; second, trap sediments as close to their sources as possible, and: third, provide a second-tier or backup line of defense against sediments leaving the project site. This backup defense will usually consist of check dams/and or sediment basins.

b. Whenever a sediment basin and a detention facility are both required on the same watercourse, the sediment basin should be located immediately upstream of the detention facility.

c. In unusual cases where a normally-dry detention basin is planned to be used to trap sediment as well as provide storm water control, the basin may be undercut to accommodate the sediment so that the required detention characteristics, particularly volume, will be maintained.

d. The design of sediment basins shall be in accordance with Appendix C of the "Manual for Erosion and Sediment Control in Georgia."

9.8.8 Ponds and Lakes Not Used for Detention.

In such cases where a pond or lake is provided as part of a development, but is not planned to function as a stormwater detention facility, the same general and specific criteria contained in these Regulations shall apply, but may be modified in instance where a specific

requirement is clearly detention oriented rather than safety-based.

9.9 CULVERTS AND PIPE COLLECTION SYSTEM GUIDELINES

9.9.1 Culverts.

a. Single barrel or single cell culvert structures are less prone to clogging and require less maintenance than multi-barrel or multi-cell installations and should therefore be used whenever feasible.

b. The maximum velocity in a corrugated metal culvert for the 100-year flow shall be 15 fps (feet per second). Velocities over 10 fps in a pipe of any material shall be considered a special design with particular attention required to pipe or structure invert protection and to fill slope, stream bed, and stream bank stability.

c. The minimum allowable slope shall be in accordance with the Storm Water Design Manual.

9.9.2 Pipe Collection Systems.

a. The maximum velocity in a corrugated metal pipe system for the design flow shall be 15 fps. Velocities over 10 fps in a pipe of any material shall be considered a special design with particular attention required to pipe invert protection and the ability of the receiving waterway or detention facility to accept the flow without damage.

b. The minimum allowable slope shall be in accordance with the Storm Water Design Manual.

c. The maximum allowable slope for a concrete storm drainage pipe shall be 10 percent, for a corrugated metal pipe shall be 14 percent and for a HDPE pipe shall be 14 percent. Greater slopes may be approved if installation is in accordance

with manufacturer's recommendations. In cases where the slope is in excess of 10 percent, anchor collars may be required.

d. A minimum pipe cover of one (1) foot shall be required.

9.9.3 Outlet Location - Culverts and Pipe Systems.

a. Outlet structures (such as headwalls) shall not be located closer to the project site's property line with an adjoining property than the greater of the distance necessary to construct any velocity protection or a flow distance equal to six (6) pipe diameters. For non-circular conduits, this distance shall be six (6) times the rise dimension of the conduit.

b. The invert elevation of a culvert or pipe outlet shall be no more than 2 feet above the elevation of the bottom of the receiving watercourse at the outlet.

9.9.4 Energy Dissipation.

The maximum developed condition flow velocity at the project site's downstream property line with an adjoining tract shall not exceed the maximum pre-developed condition velocity. Calculations may be required to support this velocity standard on a case-by-case basis.

9.9.5 Discharge of Concentrated Flows.

a. The discharge of concentrated flows of storm water into public roadways shall be avoided. In no case shall such concentrated flows, including flows from swales, ditches, draws, driveways, or piped systems, exceed the allowable peak flow rates in Table 9-G, below.

TABLE 9-G
MAXIMUM FLOWS INTO STREETS

STREET CLASSIFICATION	ALLOWABLE PEAK FLOW RATE FOR A 2-YEAR STORM
Local	2.0 cfs
Minor Collector	1.0 cfs
Other	0.5 cfs

b. In residential subdivisions, the drainage area contributing to the peak flow along any property line between lots within 50 feet of the building setback line for either lot shall not exceed 2 acres, unless contained within a piped drainage system or maintained in a natural watercourse. The storm water conveyance shall be in a drainage easement.

ARTICLE 10
PLAN AND PLAT SPECIFICATIONS

10.1 CONCEPT PLAN SPECIFICATIONS

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

10.1.1 Size.

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

10.1.2 Freehand Drawing (Approximate Scale).

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

10.1.3 List Of What Is Required To Be Shown.

The Concept Plan shall contain the following:

a. Approximate total acreage.

b. Proposed total number of lots and minimum lot size.

c. Size and location of adjoining existing streets or access drives and proposed right-of-way, roadways, and access drives.

d. For multi-family and nonresidential site developments (not subdivisions), the approximate location and arrangement of buildings, parking

areas, and other improvements including storm water detention areas, and all required buffers.

e. Topography with contour intervals no greater than 10 feet.

f. Proposed method of sewage disposal (expressed as a note).

g. Boundary lines of the overall property showing bearings and distances along all lines and the bearings and distance to an existing street intersection or other recognized permanent landmark. The source of said boundary information shall be indicated.

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

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

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

_____ _____

Signature of Authorized Agent/Owner Date

j. Location sketch (vicinity map).

k. Location and size (in acres) of lakes, ponds, wetlands and floodplains and the source of the information.

l. Required recreation areas, and other public areas

to be dedicated to the public or held in common ownership by a homeowner association or other similar entity.

m. Existing zoning of the property and adjoining properties.

n. Land lot and district.

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

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

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

r. General development data (in tabular form) for individual multi-family or nonresidential site developments, such as number of residential units, number of gross square feet of nonresidential floor area by building, number of parking spaces, number of stories, etc.

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

t. Signature block to read as follows:

This Concept Plan has been reviewed and approved for general compliance with the Zoning Resolution and Development Regulations of Peachtree Corners, Georgia.

_____ _____

Director, Date
Department of Planning and Development

10.1.4 Concept Plans for Developments in a Mixed-Use Redevelopment (MUR) Overlay District.

Concept Plans for developments in a MUR Overlay District must be prepared by authorized registered professionals, planners, and/or architects. A Concept Plan without all required plan elements shall not be accepted for plan review processing. In addition to the items required for Concept Plans contained in this section, Concept Plans in a MUR Overlay District shall contain additional information and plan elements as follows:

a. Location, foot print, number of residential units, non-residential floor space, and stories for non-single family residential structures.
b. Proposed street networks, including street cross sections indicating conformance with MUR Overlay District design standards.
c. Location and size (in acres and square feet) of uses and pods including number of units and/or amount of square feet of each use and pod.
d. Location and size (in acres and square feet) of plaza, common areas, parks, recreation areas and similar amenity areas.
e. Location of greenways, paths, bike routes, etc., both on-site and within 1,000 feet of the project boundary that will be used to promote connectivity.
f. Location of storm water management facilities and BMP's. If these facilities are proposed for inclusion in required common area calculations, detailed design plans of these facilities shall be required.
g. Location of proposed landscaped areas and features.
h. Proposed phases or stages of development.
i. Location of off-street and on-street parking areas and detail drawings of any required decorative fencing or screening.
j. Location of transit stops and/or features to be used for public transit. The plan designer shall incorporate transit stops and options into the

plan design subject to coordination with the Department of Transportation.

k. A Pedestrian Access Plan (subject to the review & approval by the Director) that shall indicate the location of, and connectivity between and among, sidewalks, paths, trails and bike routes. The plan shall also include provisions and details for bike racks, street furniture and directional signage.

l. A Street and Pedestrian Lighting Plan (subject to the review and approval by the Director) that shall include the location and details of lighting fixtures.

m. An Architectural Design Plan (subject to the review and approval by the Director) that shall include building elevations for each use type and including decorative elements for such items as fountains, street furniture, outdoor restaurant seating, etc.

n. A Unified Signage Plan (subject to the review and approval by the Director) that shall include typical sign locations, elevations, and construction materials for all signage.

10.2 SUBDIVISION DEVELOPMENT PLANS

10.2.1. What Consists A Development Permit For A Subdivision.

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

10.2.2 Conformation To Concept Plan.

The Development Plans shall generally conform to the Concept Plan, if any, and may constitute only that portion of the approved Concept Plan which the subdivider proposes to construct at one time as a single unit, provided that such portion conforms to the requirements of these rules and regulations. If no

Concept Plan was approved on the property, the Development Plans shall include the entire property being developed within the same zoning category.

10.2.3 Scale.

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

10.2.4 Certified Boundary Survey.

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

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

10.2.5 List Of What Is Required To Be Shown.

The Preliminary Plat shall contain the following:

a. Proposed name of subdivision.

b. Name, address, and telephone number of the owner of record, and of the subdivider (if not the owner).

c. Name, address, and telephone number of each professional firm associated with the Development Plans (engineer, surveyor, landscape architect,

etc.).

d. Date of survey, north point, and graphic scale, source of vertical datum, date of plat drawing, and space for revision dates.

e. Proposed use of the site, such as single-family detached residences, duplexes, townhouses, office park, industrial subdivision, etc. For residential, indicate total number of dwelling units within plat.

f. Location (Land District and Land Lot), acreage, and density (if applicable).

g. Location sketch locating the subdivision in relation to the surrounding area with regard to well known landmarks such as major thoroughfares or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than one inch equal to 2,000 feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.

h. Name of former subdivision if any or all of the land in the Preliminary Plat has been previously subdivided, showing boundaries of same.

i. Boundary lines of the perimeter of the tract indicated by a heavy line giving lengths in feet and hundredths of a foot, and bearings in degrees, minutes, and seconds. Bearing and distance to designated tie point.

j. Directional flow arrows for street drainage and individual lot drainage when finished grading of lots is not shown.

k. Contour lines based on sea level datum, or other datum acceptable to the Department. These shall be drawn at intervals of not more than two feet. Contour lines shall be based on field surveys or

photogrammetric methods from aerial photographs. The basis for the topographic contour shown shall be specified and dated.

l. Natural features within the proposed subdivision, including drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses leaving the tract, the direction of flow shall be indicated. The 100-year floodplain shall be outlined and the source of the depicted floodplain information shall be indicated. For those lots containing floodplain, a Floodplain Lot Chart shall be provided showing the area (in square feet) of each lot lying inside and outside of the floodplain as though the land disturbance activity were completed.

m. Man-made and cultural features existing within and adjacent to the proposed subdivision including existing right-of-way measured from centerline, pavements widths, and names of existing and platted streets; all easements, city, and City jurisdiction lines; existing structures on the site and their disposition, Chattahoochee River Corridor information and limits of Chattahoochee River Tributary protection Area (if applicable), and other significant information. Location and dimensions of existing bridges; water, sewer, and other existing utility lines and structures; culverts and other existing features should be indicated.

n. Proposed layout including lot lines, lot numbers, and block letters; proposed street names, roadway and right-of-way lines; and, sites reserved through covenants, easement, dedication, or otherwise for public uses. Lots shall be numbered in numerical order and blocks lettered alphabetically. The minimum building setback line from all streets. Streets shall be dimensioned to show right-of-way and roadway widths, central angles, intersection radii, and

cul-de-sac roadway and right-of-way radii. Centerline curve data shall be provided for all roadway curves [radius, length, amount of superelevation (if any), point of curvature (P.C.), point of tangency (P.T.),etc.] if not shown separately on construction drawings.

o. Identify unit number, division, or stage of development, if any, as proposed by the subdivider.

p. Existing zoning of the property. Rezoning and variance case numbers, dates of approval and conditions (as applicable). Note minimum lot size and minimum yard setback requirements, and other applicable zoning requirements. Show and dimension any required buffers, landscape strips, no-access easements, etc. Note any approved Waivers from these Regulations.

q. All adjoining property owners, subdivision names, lot numbers and lot lines, block letters, and zoning.

r. Location of all known existing or previously existing landfills.

s. Proposed recreation area, if any; area of the site; area and percent of site within the 100-year floodplain; proposed disposition of the site (public ownership, homeowners association, etc.).

t. Such additional information as may be reasonably required to permit an adequate evaluation of the subdivision.

10.2.6 Certificate of Development Plans Approval.

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

All requirements of the Peachtree Corners Development Regulations relative to the preparation and submission

of a subdivision development permit application having been fulfilled, and said application and all supporting plans and data having been reviewed and approved by all affected City Departments as required under their respective and applicable regulations, approval is hereby granted, on this Preliminary Plat and all other development plans associated with this subdivision, subject to all further provisions of said Development and other City existing Regulations.

_____ _____

Director, Date
Department of Planning and Development

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

NOTE: The boundaries of the lots shown on this Plat have not been surveyed. This Plat is not for recording.

10.2.7 Other Development Plans To Accompany Preliminary Plat.

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

a. Erosion Control Plan prepared in accordance with the requirements of the Soil Erosion and Sediment Control Ordinance. Erosion control measures may be shown on the Grading Plan, if desired.

b. Grading Plan prepared in accordance with the requirements of Article 8 of these Regulations if grading is proposed beyond the street right-of-way.

c. Storm water Drainage Construction Data:

(1) Location and size of all proposed drainage structures, including detention ponds, catch basins, grates, headwalls, pipes and any

extensions thereof, energy dissipators, improved channels, and all proposed drainage easements to be located outside street right-of-way lines.

(2) Profiles of all storm drainage pipes and slope of receiving channels. On storm drainage profiles a pipe chart will be shown which will include pipe numbers, pipe size, pipe material, pipe slope, pipe length, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity. The hydraulic grade line will be shown on all pipes for the required design flow.

(3) Profiles of all open channels and ditches including Mannings' 25-year storm normal depth and velocity. On storm drainage profiles, an open channel chart will be shown which will include open channel numbers, conveyance size, lining material, length, channel slope, contributing drainage area, design storm frequency, runoff coefficient and velocity.

(4) Hydrological study used in determining size of structures, including map of all contributing drainage basins and acreage.

d. If sanitary sewers are required by Water Pollution Control, Sanitary Sewer Plans, including the location and size of all proposed sewer lines, manholes, and any easements required therefore, together with sufficient dimensions to locate same on the ground.

e. Construction Data for New Streets and Street Widenings:

(1) Centerline profiles and typical roadway sections of all proposed streets, as well as plans and profiles for all proposed major thoroughfares. Typical roadway sections shall be provided for street widenings.

(2) Where sanitary or storm sewers are to be installed within a street, the grade; size, location, and bedding class of pipe; location and invert elevation of manholes shall be indicated on the road profile.

(3) Profiles covering roadways that are extensions of existing roadways shall include: elevations at 50 foot intervals for such distance as may be adequate to provide continuity consistent with the standards required by the Regulations for street improvements, but no less than 200 feet.

(4) All elevations shall be coordinated and tied into U.S. Coast and Geodetic Survey or Department of Transportation bench marks where feasible, or into reference monuments established by the Federal Emergency Management Agency.

(5) Stub streets shall be profiled at least 200 feet onto adjoining property (no tree cutting).

f. Buffer and Landscape Plan, if any such areas exist within the subdivision, prepared in accordance with the specifications under this Article, the requirements of Article 5 of these Regulations, and the requirements of the Buffer, Landscape, and Tree Ordinance.

g. Tree Preservation/Replacement Plan (if required by the Tree Protection Ordinance).

h. Floodplain Management Plans. If any floodplain areas are located on the property, such data as is required by the Floodplain Management Ordinance of these Regulations shall be submitted.

10.2.8 Encroachments.

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

10.3 FINAL PLAT SPECIFICATIONS

10.3.1 Size.

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

10.3.2 Certified Boundary Survey.

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

10.3.3 Conformity To Preliminary Plat.

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

10.3.4 List Of What Is Required To Be Shown.

The Final Plat shall contain the following information:

a. Name of the subdivision, unit number, Land

District, and Land Lot number.

b. Name, address, and telephone number of owner of record, and the subdivider (if not the owner).

c. Name, address, and telephone number of each professional firm associated with the portion of the subdivision within the Final Plat (engineer, surveyor, landscape architect, etc.).

d. Date of plat drawing, graphic scale, north point; notation as to the reference of bearings to magnetic, true north or grid north, and indication whether bearings shown are calculated from angles turned.

e. Location sketch of tract showing major surrounding features.

f. Name of former subdivision, if any or all of the Final Plat has been previously recorded.

g. Case number and date of approval for any applicable rezoning, Special Use Permit, Variance or Waiver affecting the property.

h. Location and dimension of any buffer, landscape strip, special setback, no-access easement, etc., required by the Zoning Resolution or these Regulations.

i. Boundary lines of the tract, to be indicated by a heavy line, giving distances to the nearest one-hundredth foot and bearings to the nearest second. Bearing and distance to designated tie point shall be shown. The Plat shall have a closure precision of 1 foot in no less than 10,000 feet.

j. Municipal or City jurisdictional lines approximately tied to the lines of the subdivision by distance and angles when such lines traverse or adjoin the subdivision; land lot lines traversing or adjoining the subdivision shall also be

indicated.

k. Locations, widths, and names of all streets and alleys within and immediately adjoining the plat, the location and widths of all internal public crosswalks, and all other public rights-of-way.

l. Street center lines showing angles of deflection and standard curve data including radii, length of arcs and tangents between curves, point of curvature (PC) and point of tangency (PT).

m. Lot lines with dimensions to the nearest one-tenth of a foot and bearings to the nearest second, and radii of rounded corners, as necessary to delimit each lot.

n. Building setback lines along streets with dimensions.

o. When lots are located on a curve or when side lot lines are at angles other than 90 degrees, the lot width measured in accordance with the provisions of the Zoning Resolution may be required to be shown, if deemed necessary by the Department for clarity.

p. Lots numbered in numerical order and blocks lettered alphabetically.

q. Location and size of all drainage pipe, location and extent of detention ponds, the location and size of all public water mains and fire hydrants, and the location, dimensions, and purpose of any easements, including construction or slope easements if required.

r. Location of any areas to be reserved, donated, or dedicated to public use with notes stating their purpose and limitations. Location of any areas to be reserved by private deed covenant for common use of all property owners, or dedicated to a homeowner's association.

s. A statement of private covenants if any, and they are brief enough to be put directly on the plat; otherwise, if covenants are separately recorded, a statement as follows:

This plat is subject to the covenants set forth in the separate document(s) attached hereto dated_____, which hereby become a part of this plat, and which were recorded _____and signed by the owner.

t. Accurate location, material, and description of monuments and markers (all monuments shall be in place prior to approval of the Final Plat.)

u. Certificates and statements specified in these Regulations, below.

v. All information required under the Georgia Metropolitan River Protection Act for recording of plats, if applicable.

w. Extent of the 100-year floodplain and a floodplain chart showing the area within and outside the floodplain for each lot containing any portion of the 100-year floodplain. Origin of the floodplain data shall be indicated.

x. Street address numbers and block number designations for street names signs on abutting streets, where appropriate.

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

z. All other notes or notations as may be required by the Department.

10.3.5 Warranty Deed.

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

10.3.6 Property Owner's Association.

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

10.3.7 Certificates.

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

a. Final Registered Land Surveyor's Certificate:

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

By: _____

REGISTERED GEORGIA LAND SURVEYOR

REG NO _____ DATE OF EXPIRATION _____

b. Owners Acknowledgment and Declaration:

STATE OF GEORGIA, CITY OF GWINNETT

The owner of the land shown on this plat and whose name is subscribed hereto, in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey, and dedicates by this Acknowledgement and Declaration to the use of the public forever all streets, sewer collectors, lift stations, drains, easements, and other public facilities and appurtenances thereon shown.

_____ _____

SIGNATURE OF SUBDIVIDER DATE SIGNED

_____

PRINTED OR TYPED NAME OF SUBDIVIDER

_____ _____

SIGNATURE OF OWNER DATE SIGNED

_____

PRINTED OR TYPED NAME OF OWNER

c. Final Plat Approval:

The Director of the Department of Planning & Development certifies that this plat complies with the Zoning Resolution and the Development Regulations, and that it has been approved by all other operational City departments, as appropriate. This plat is approved subject to the provisions and requirements of the Development Performance and Maintenance Agreement executed for this project between the Owner and Peachtree Corners.

DATED THIS _____ DAY OF _____, 20 ___.

_____
DIRECTOR
DEPARTMENT OF PLANNING & DEVELOPMENT

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

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

DATED THIS_____ DAY OF _____,20 __.

BY: _____

TITLE: _____

_____
ENVIRONMENTAL HEALTH DEPARTMENT

e. Public Notice - Drainage:
Every residential Final Plat shall contain the following statements:

(1) NOTE: Peachtree Corners assumes no responsibility for overflow or erosion of natural or artificial drains beyond the extent of the street right-of-way, or for the extension of culverts beyond the point shown on the approved and recorded subdivision plat.
(2) NOTE: Stream Buffer Easements are to remain in a natural and undisturbed condition.
(3) NOTE: Structures are not allowed in drainage easements.

Every nonresidential Final Plat shall contain the following statement:

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

f. R-ZT and R-TH Fee-Simple Layout Plan:

Every Final Plat for a subdivision zoned R-ZT or R-TH and proposing single-family detached houses on fee-simple ownership lots shall contain the following statement:

NOTE: Lot layout plan is required on each lot to be approved by the Department prior to a building permit being issued. This lot layout plan must be drawn to scale on a copy of a certified boundary survey of the lot. It must show all proposed improvements and easements on the lot and must indicate compliance with the requirements of the Zoning Resolution or conditions of zoning approval. It shall be the builder's responsibility to ensure that the house is staked out on the site to match the approved lot layout plan.

g. House Location Plans (HLP):

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

HLP - HOUSE LOCATION PLAN

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

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

RDP - RESIDENTIAL DRAINAGE PLAN
RDS - RESIDENTIAL DRAINAGE STUDY

A Residential Drainage Plan or Residential Drainage Study must be approved by the Storm Water Management Division of the Department of Public Utilities prior to issuance of a Building Permit on those lots labeled "RDP" or "RDS", respectively. Please refer to the Development Regulations and contact the Department of Public Utilities for further information.

10.4 HOUSE LOCATION PLAN (HLP)

10.4.1 Size And Description.

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

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

10.4.2 May Be Drawn By An Individual.

It is not the intent of the Department that the House Location Plan be prepared by an authorized registered professional but may be done by the individual proposing the improvements on the lot. It is the intent, however, to receive a drawing with sufficient readability and accuracy to ensure that the proposed improvements will be constructed on the lot in conformance with the requirements of these Regulations, the Zoning Resolution, or other regulations, as applicable.

10.4.3 List Of What Is To Be Shown.

House Location Plans shall show the following as applicable:

a. Boundary lines of the lot, giving distances to the nearest one-tenth of a foot and bearings to the nearest minute.

b. Location and names of all abutting streets or other rights-of-way.

c. Minimum required front, side and rear building setback lines with dimensions, and notation of the existing zoning on the property.

d. The approximate outline of all buildings, driveways, parking areas, swimming pools, recreational courts, patios, accessory structures and other improvements existing or proposed on the property, and dimensions of buildings and distances between all structures and the nearest property lines.

e. All easements, public water, sewer or storm drainage facilities traversing or located on the

property, septic tank, and septic tank drain field.

f. Subdivision name, lot designation, land lot, and district.

g. North arrow and scale.

h. Limit of the 100-year floodplain and any applicable buffers or special building setback lines.

i. If the lot is located within the Chattahoochee River Corridor, the location of each area by vulnerability category and calculations of impervious surface and clearance by category, or other such data in accordance with the Certification for the subdivision approved under the Metropolitan River Protection Act. Show also any buffer or setback required by the Metropolitan River Protection Act.

j. All other applicable requirements of the Zoning Resolution or conditions of zoning approval.

k. Name, address, and telephone number of the owner and the person who prepared the HLP.

10.4.4 Certificate Of Occupancy.

If a lot is located in the Chattahoochee River Corridor, a Certificate of Occupancy shall not be issued for the structure or other improvements until conformance to the provisions or other requirements of the House Location Plan have been field verified by a survey prepared by a registered land surveyor and submitted to the Department of Planning & Development.

10.5 RESIDENTIAL DRAINAGE PLAN (RDP) OR STUDY (RDS)

10.5.1 Certified Boundary Survey Required.

Residential Drainage Plans shall be drawn to scale on a certified boundary survey of the lot prepared by a registered land surveyor. The Residential Drainage Plan

may be combined with a House Location Plan (HLP) if an HLP is required for the lot. The requirements contained herein shall also apply to lots which formerly required SPED (Site Plan - Engineering Division) approval prior to issuance of a building permit.

10.5.2 List Of What Is Required To Be Shown.

Residential Drainage Plans shall show the following as applicable:

a. Boundary lines of the lot, giving distances to the nearest one-tenth of a foot and bearings to the nearest minute.

b. Location and names of all abutting streets or other rights-of-way.

c. The outline of all buildings, driveways, parking areas, swimming pools, recreational courts, patios, accessory structures and other improvements existing or proposed on the property, and dimensions of buildings and distances between all structures and the nearest property lines as required to locate the major improvements on the lot.

d. All easements, public water or sewer facilities traversing or located on the property, and septic tank drain field.

e. Subdivision name, lot designation, land lot, and district.

f. North arrow and scale.

g. Contour lines based on sea level datum. These shall be drawn at intervals of not more than two feet, and shall be based on a field survey. Proposed grading of the lot shall be shown along with the finished floor elevation of the lowest habitable floor of the house.

h. Storm water features, including swales, pipes, storm water detention and other structures, all drainage (DE) easements, and directions of flow.

i. Floodplain features, including the limits of the flood hazard area, 100-year flood high water elevation, origin of the floodplain data, and any proposed modifications to the floodplain limits.

j. Sedimentation and erosion control measures to be taken or placed on the lot during construction.

k. Names, address, and telephone number of the owner and person who prepared the RDP.

l. Seal, registration number, and date of expiration of the authorized registered professional who prepared the drainage improvements or modifications shown on the RDP.

10.5.3 Residential Drainage Study (RDS).

A Residential Drainage Study (RDS) shall be conducted by the developer's or builder's authorized registered professional prior to issuance of a Certificate of Occupancy on those lots so noted on the Final Plat. The requirements for a RDS contained herein shall also apply to lots that formerly required SSED (Site Study - Engineering Division) approval prior to issuance of a Building Permit. The grading and construction of the lot shall be field verified by the developer's or builder's authorized registered professional as being in conformance with grading plans and storm water management studies approved for the subdivision prior to the issuance of a Certificate of Occupancy.

10.5.4 Certificate Of Occupancy – Conditions.

A Certificate of Occupancy shall not be issued for the structure until a written certification has been received from the developer's or the builder's authorized registered professional stating that the provisions or improvements required by the Residential

Drainage Plan or as a result of the Residential Drainage Study have been field verified.

10.5.5 Certificate – Department Approval.

If a RDP or RDS is required because a stream or floodplain is on or adjacent to the lot, the notation on the development plans and plat should be "RDP-E" or "RDS-E" as appropriate.

10.6 SITE DEVELOPMENT PLANS

10.6.1 What A Development Permit For A Site Plan Consists Of.

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

10.6.2 Conformation To Concept Plan.

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

10.6.3 Scale.

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

10.6.4 Project Boundary Data.

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

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

10.6.5 List Of What Is Required To Be Shown.

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

a. Proposed name of development. If the project is located within a subdivision, the name of the subdivision, lot, and block number must also be shown.

b. Name, address, and telephone number of the owner of record, and of the developer (if not the owner).

c. Name, address, and telephone number of each professional firm associated with the Development Plans (engineer, landscape architect, etc.).

d. Date of survey, north point, and graphic scale, source of datum, date of plan drawing, and space for revision dates.

e. Proposed use of the site, including gross square footage for each different use type or building.

f. Location (Land District and Land Lot), acreage or

area in square feet, and density (if applicable).

g. Location sketch locating the development in relation to the surrounding area with regard to well known landmarks such as major thoroughfares or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than one inch equal to 2,000 feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.

h. Size and location of all buildings, building setback lines, minimum yard lines, and distances between buildings and from buildings to property lines; location of outdoor storage areas; parking and loading areas, driveways, curb cuts and designated fire lanes. Each building shall be identified with a number or letter.

i. Boundary lines of the perimeter of the tract indicated by a heavy line giving lengths to the nearest one-hundredth of a foot and bearings to the nearest second. Bearing and distance to designated tie point.

j. Directional flow arrows for street drainage.

k. Contour lines based on sea level datum. These shall be drawn at intervals of not more than two feet and shall include the entire site and all abutting public streets. Contour lines shall be based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic contour shown shall be specified and dated.

l. Natural features within the proposed development, including drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses leaving the tract, the direction of flow shall be indicated. The 100-year floodplain shall be outlined and the

source of the depicted floodplain information shall be indicated. The acreage or area in square feet within the floodplain shall be indicated.

m. Man-made and cultural features existing within and adjacent to the proposed development including existing right-of-way measured from centerline, pavement widths, and names of jurisdiction lines; existing structures on the site and their disposition, Chattahoochee River Corridor information and Chattahoochee River Tributary Protection Areas (if applicable), and other significant information. Location and dimensions of existing bridges; water, sewer, and other existing utility lines and structures; culverts and other existing features should be indicated.

n. Proposed street names, roadway and right-of-way lines and widths and sites reserved through covenants, easement, dedication or otherwise for public uses.

o. Identify unit number, division or stage of development, if any, as proposed by the developer.

p. Show all adjoining property owners, subdivision names, lot numbers, lot lines and block letters, and zoning.

q. Show the location and number of parking spaces according to the size of the building on the plans. Show factors used in determining number of spaces as required in the Zoning Resolution. Handicapped parking spaces must be shown as required by the Georgia Handicap law.

r. Zoning district rezoning case number, date of approval and conditions as applicable). Variances obtained on the property should be shown with the case number, date of approval and conditions (if applicable). Note any approved Waivers from these Regulations.

s. If buffers or other landscaping or screening treatments are required, show the location, size, and type (natural or planted) on the plans conforming to the Tree Preservation/Replacement Plan or Buffer and Landscape Plan, as applicable.

t. Location, height, and size of all freestanding signs to be erected on the site, and indication whether lighted or unlighted.

u. Location of all known existing landfills and proposed on-site bury pits (State EPD Permit and Peachtree Corners Special Use Permit or other approval may be required).

v. Such additional information as may be reasonably required to permit an adequate evaluation of the project.

10.6.6 Certificate of Development Plans Approval.

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

All requirements of the Peachtree Corners Development Regulations relative to the preparation and submission of a development permit application having been fulfilled, and said application and all supporting plans and data having been reviewed and approved by all affected City Departments as required under their respective and applicable regulations, approval is hereby granted of this Site Plan and all other development plans associated with this project subject to all further provisions of said Development and other City Regulations.

_____ _____

Director Date
Department of Planning and Development

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

10.6.7 Other Development Plans To Accompany Site Plan.

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

a. Erosion Control Plan prepared in accordance with the requirements of the Soil Erosion and Sediment Control Ordinance. Erosion control measures may be shown on the Grading Plan, if desired.

b. Grading plan, prepared in accordance with the requirements of Article 8 of these Regulations.

c. Storm Water Drainage Construction Data:

(1) Location and size of all proposed drainage improvements, and all proposed drainage easements to be located outside street right-of-way lines.

(2) Profiles of all storm drainage pipes and slope of receiving channels. Hydraulic grade line is to be shown on all pipes (except roof drains) for the required design flow. On storm drainage profiles a pipe chart will be shown which will include pipe numbers, pipe size, pipe material, pipe slope, pipe length, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity. On all pipes, the hydraulic grade line shall be shown. Profiles of all open channels and ditches including the design flow normal depth and velocity. On storm drainage profiles an open channel chart will be shown which will include open channel numbers, conveyance size, lining material, length, channel slope, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity for the required design flow.

(3) Acreage of drainage areas and Hydrological study used in determining size of structures, including map of all contributing drainage basins and acreages.

d. Sewage Disposal Plans, as follows:

(1) Sanitary Sewer Plans, including the profiles and other information as may be required by Water Pollution Control.
(2) For projects proposed to be served by on-site sewage disposal systems, location and extent of septic tank, drain field and attendant structures, and other information required by the Health Department.

e. Street Widening and Construction Data:

(1) Centerline profiles and typical roadway sections of all proposed streets, as well as plans and profiles for all proposed major thoroughfares. Profiles (and plans, where required) shall be drawn on standard plan and profile sheet with plan section showing street layout, pavement and right-of-way width, curvature, and required drainage facilities. Typical roadway sections shall be provided for street widenings.
(2) Where sanitary or storm sewers are to be installed within a street, the grade, size, location and bedding class of pipe; location and invert elevation of manholes shall be indicated on the road profile.
(3) Profiles covering roadways that are extensions of existing roadways shall include; elevations at 50 foot intervals for such distance as may be adequate to provide continuity consistent with the standards required by these Regulations for street improvements, but no less than 200 feet.
(4) All elevations shall be coordinated and sited into U.S. Coast and Geodetic Survey or Department of Transportation bench marks

where feasible or into reference monuments established by the Federal Emergency Management Agency.

f. Buffer and Landscape Plan, if any such areas exist within the site, prepared in accordance with the specifications contained in this Article, and the requirements of Article 5 of these Regulations, and the requirements of the Buffer, Landscape, and Tree Ordinance.

g. Tree Preservation/Replacement Plan (if required by the Buffer, Landscape, and Tree Ordinance).

h. Floodplain Management Plans; if any floodplain areas are located on the property. Such data as is required by the Floodplain Management Ordinance shall be submitted.

i. Private Water System Plans, if any, indicating proposed water main size and location, with fire hydrants, on the site. The distance and direction to all other fire hydrants within 500 feet of the site or buildings along existing streets or other access drives shall also be indicated.

j. Street striping plan, showing striping in accordance with the Manual on Uniform Traffic Control devices, for any street newly constructed to 4 or more lanes, and all newly constructed or widened major thoroughfares.

10.6.8 Encroachments.

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

10.6.9 Public Notice – Drainage.

Every Site Plan shall contain the following statement:

a. Note: Peachtree Corners assumes no responsibility for

overflow or erosion of natural or artificial drains beyond the extent of the street right-of-way, or for the extension of culverts beyond the point shown on the approved and recorded plan. Peachtree Corners does not assume the responsibility for the maintenance of pipes in drainage easements beyond the City right-of-way.

b. NOTE: Stream Buffer Easements are to remain in a natural and undisturbed condition.

c. NOTE: Structures are not allowed in drainage easements.

10.7 TREE PRESERVATION/REPLACEMENT PLAN SPECIFICATIONS

10.7.1 When Required.

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

10.7.2 In Accordance With Buffer, Landscape and Tree Ordinance.

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

10.8 BUFFER AND LANDSCAPE PLAN SPECIFICATIONS

10.8.1 When Required.

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

10.8.2 In Accordance With Buffer, Landscape and Tree Ordinance.

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

ARTICLE 11
PROCEDURES

11.1 SUBDIVISION REVIEW PROCEDURES

11.1.1 Pre-Application Conference.

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

11.1.2 Concept Plan Approval

a. Application for Concept Plan approval shall be submitted to the Department using an application form and in a number of copies to be determined by the Director. The Concept Plan shall include the entire property proposed for development, but need not include the applicant's entire contiguous ownership.

b. In such case that the subdivider elects not to submit a Concept Plan, then the subdivider may proceed directly with the submittal of Development Plans if they show the entire property proposed for development. In so doing, however, the subdivider assumes the risk of premature design and engineering expenses in the event that the City requires subsequent design and engineering changes.

c. Following Concept Plan approval, a clearing and grubbing permit may be issued based on a Tree Protection Plan (if required - see Tree Protection Ordinance) and soil erosion and sedimentation control plan approved by the Department, and

consistent with an approved Certificate issued under the Metropolitan River Protection Act, if applicable.

d. Copies of the approved Concept Plan shall be provided to the Department for permanent record, in a number as determined by the Director.

11.1.3 Development Plans Approval for Subdivisions.

a. An application for Development Plans approval and issuance of a development permit shall be submitted to the Department using an application form and in a number of copies as determined by the Director. The Development Plans may encompass a portion of a property included within an approved Concept Plan. However, if no Concept Plan has been approved, the Development Plans must include the entire property being developed and having the same zoning. The application shall include the Preliminary Plat, and construction drawings. All construction drawings and other engineering data shall be prepared and sealed by an authorized registered professional currently registered in the State of Georgia, in accordance with provisions of Georgia Law.

b. Following submission to the Department of a Preliminary Plat and all drawings required for development permit review, a grading permit shall be issued at the developer's request based on a Tree Protection Plan (if required), soil erosion and sedimentation control plan, hydrology study, and related construction drawings, and consistent with an approved Certificate issued under the Metropolitan River Protection Act, if applicable. The grading permit shall be limited to the area included within the Development Plans and may be further conditioned as deemed appropriate or necessary pending development permit approval.

c. The Director shall indicate on a review copy of the drawings or in a written memorandum all comments

related to compliance of the Development Plans with these Regulations, principles of good design, the Zoning Resolution, conditions of zoning approval, and the regulations of other City departments and State agencies as appropriate. The Director shall have final staff authority to determine the applicability of any and all comments under these Development Regulations, the Zoning Resolution or conditions of zoning approval.

d. The Director may not approve any Preliminary Plat whereon is shown a lot which would present particularly unusual difficulties for construction of a building, which would clearly require a variance to be reasonably usable, or which is otherwise "unbuildable" because of its unusability, whether due to the presence of floodplain, unusual configuration, lack of public utilities or for any other reason. A House Location Plan (HLP) may be required to be filed as a part of the Preliminary Plat approval to substantiate the buildability of any such difficult or unusual lot.

e. The subdivider shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the noted and written comments of the Director.

f. Should an applicant disagree with the findings or final review comments of the Director or of any other City department, concluding that factual or interpretive errors have been made, the following appeal procedure shall be followed to resolve the issues.

(1) Submit to the Department of Planning and Development a written statement clearly defining the nature of the disagreement, the specific reference to the sections of the regulations (i.e., Sewer Regulations, Development Regulations, etc.) at issue, and the applicant's own opinion.

(2) Should the department under appeal fail to respond within 10 working days from the date of transmittal of the appeal by the Department of Planning and Development, the Department shall automatically forward a copy of the appeal to the Mayor and Council for final action in their normal course of business.

g. When the Director has determined that the plat and other Development Plans are in compliance with all applicable City regulations and zoning requirements and approval has been received from all affected City Departments, he shall sign and date a CERTIFICATE OF DEVELOPMENT PLANS APPROVAL stamped or printed on a reproducible copy of the plat. Approved copies of printed on a reproducible copy of the plat. Approved copies of the approved plat and Development Plans shall be transmitted to the applicant and retained by the Department for its records.

h. Following the above approval by all affected City Departments, a Development Permit shall be issued at the developer's request to begin construction activities based on the approved development plans.

11.1.4 Final Plat Approval.

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

b. The Director shall indicate on a review copy of the plat or in a written memorandum all comments related to compliance of the Final Plat with these Regulations, the Zoning Resolution, conditions of zoning approval, and the regulations of other City departments and State agencies as appropriate. The Director shall have final staff

authority to determine the applicability of any and all comments under these Development Regulations, the Zoning Resolution or conditions of zoning approval.

c. The Director may not approve any Final Plat whereon is shown or by which is otherwise created a lot which would present particularly severe and unusual difficulties for construction of a building, which would clearly require a variance to be reasonably usable, or which is otherwise "unbuildable" due to the presence of floodplain, unusual configuration, lack of Health Department approval, or for any other justified reason.

d. Lots which would appear to be buildable under certain circumstances and would require further study or additional information before a building permit could be issued, but which present problems or unusual difficulties which can reasonably be addressed or overcome by the lot owner, may be included in the Plat with the appropriate notation of the steps necessary to allow issuance of a building permit (see section 5.5, Lots, of the General Design Standards).

e. The subdivider shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the comments of the Director.

f. Final approval by the Director shall not be shown on the Final Plat until all requirements of these and other applicable regulations have ben met, and the Director has received a completed request for Approval of Development Conformance and an executed Development Performance and Maintenance Agreement. The Agreement shall be accompanied by a bond, letter of credit or other acceptable surety providing for the maintenance of all installations and improvements required by these Regulations in the subdivision for a period not to exceed 12

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

g. The Director shall further determine that either:

(1) All improvements and installation to the subdivision required for approval of the Final Plat under the rules and regulations of Peachtree Corners have been completed in accordance with the appropriate specifications; or

(2) All of the storm water drainage and detention facilities, water and sewer utilities, street base and curbing construction required for approval of the Final Plat have been properly installed and completed and, for those required improvements not yet completed (grassing, pavement topping, required landscaping, sidewalks, etc.) a performance bond shall have been filed by the subdivider with the Development Performance and Maintenance Agreement, which performance bond shall:

(a) Be conditioned upon the faithful performance by the subdivider or developer of all work required to complete all improvements and installations for the subdivision, or approved portion thereof, in compliance with these rules and regulations within a specified time, not to exceed three months;

(b) Be payable to, and for the indemnification of, the City;

(c) Be in an amount equal to the cost of construction of the required

improvements not yet completed plus an additional ten (10) percent of said costs, as calculated by the Director on the basis of yearly contract prices or City contracts, where available;

(d) Be with surety by a company entered and licensed to do business in the State of Georgia; and,

(e) Be in a form acceptable to the Director or the City Attorney.

h. Payment for materials and installation of traffic control and street name signs shall be made to the Department of Engineering in accordance with the traffic engineering regulations prior to approval of the Final Plat. Payment of the cost of striping major thoroughfares or required signalization if required and not completed by the developer shall also be received by the Engineering Department prior to approval of the Final Plat.

i. Payment of the required plat recording fee shall be made to the Department prior to approval of the Final Plat.

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

k. Once the Final Plat has been so certified, the Director shall authorize it to be recorded with the

Clerk of the Superior Court of Peachtree Corners. The subdivider shall provide the Department with an appropriate number of copies of the recorded plat, as determined by the Director. Deeds to lands dedicated to Peachtree Corners in fee simple, or to Property Owner Associations for park or recreational use, shall be recorded simultaneously with the Final Plat.

l. Periodically, but no less often than once each month, the Director shall submit a listing of all approved Final Plats to the Mayor and Council for ratification of acceptance of all dedications.

11.2 NON-SUBDIVISION REVIEW PROCEDURES

11.2.1 Pre-Application Conference.

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

11.2.2 Concept Plan Approval.

a. Application for Concept Plan approval shall be submitted to the Department using an application form and in a number of copies to be determined by the Director.

b. The Concept Plan shall include the entire property being developed. Properties which adjoin the subject property and which are under the same ownership or control as the subject property shall be so indicated. In such case that the developer

elects not to submit a Concept Plan, then the developer may proceed directly with the submittal of Development Plans, if they show the entire parcel being developed. In so doing, however, the developer assumes the risk of premature design and engineering expenses in the event that the City requires subsequent design and engineering expenses in the event that the City requires subsequent design and engineering changes.

c. Following Concept Plan approval, a clearing and grubbing permit shall be issued at the developer's request based on a Tree Protection Plan (if required - see Tree Protection Ordinance) and Soil Erosion and Sediment Control Plan approved by the Department, and consistent with an approved Certificate issued under the Metropolitan River Protection Act, if applicable.

d. Following Concept Plan approval, a grading permit may be issued at the developer's request based on the requirements above for a clearing and grubbing permit and in addition a stormwater management report (hydrology study) shall be submitted and approved.

e. Copies of the approved Concept Plan shall be provided to the Department for permanent record, in a number as determined by the Director.

11.2.3 Site Development Plans Approval.

a. An application for Development Plan approval and issuance of a development permit shall be submitted to the Department using an application form and in a number of copies as determined by the Director. The Development Plans may encompass a portion of a property included within an approved Concept Plan. However, if no Concept Plan has been approved, the Development Plans must include the entire property being developed and having similar zoning. As required under Section 10.6 of these Regulations,

the application shall include the Site Plan and construction drawings, as appropriate to the project. All construction drawings and other engineering data shall be prepared and sealed by an authorized registered professional currently registered in the State of Georgia, in accordance with the provisions of Georgia Law.

b. The Director shall indicate on a review copy of the drawings or in a written memorandum all comments related to compliance of the Development Plans with these Regulations, principles of good design, the Zoning Ordinance, conditions of zoning approval, and the regulations of other City departments and State agencies as appropriate. The Director shall have final staff authority to determine the applicability of any and all comments under these Development Regulations, the Zoning Resolution or conditions of zoning approval.

c. The developer shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the noted and written comments of the Director.

d. Deeds to lands dedicated to Peachtree Corners in fee simple, shall be submitted to the Director for recording.

e. Should an applicant disagree with the findings or final review comments of the Director or of any other City department, concluding that factual or interpretive errors have been made, the following appeal procedure shall be followed to resolve the issues:

(1) Submit to the Department of Planning and Development a written statement clearly defining the nature of the disagreement, the specific reference to the sections of the regulations (i.e., Sewer Regulations, Development Regulations, etc.) at issue, and

the applicant's own opinion.

(2) Should the department under appeal fail to respond within 10 working days from the date of transmittal of the appeal by the Department of Planning and Development, the Department shall automatically forward a copy of the appeal to the Mayor and Council for final action in their normal course of business.

f. When the Director has determined that the Site Plan and other Development Plans are in compliance with all applicable City regulations and zoning requirements, and approval has been received from all affected City Departments, he shall sign and date a CERTIFICATE OF DEVELOPMENT PLANS APPROVAL on a reproducible copy of the plan. Approved copies of the approved Development Plans shall be transmitted to the applicant and retained by the Department for its record.

g. Following the above approval by all affected City Departments, and approval of a Metropolitan River Protection Act Certificate, if applicable, a development permit shall be issued at the developer's request to begin construction activities based on the approved Development Plans. Said permit may include clearing, grubbing, and grading as appropriate and approved as part of the project. A building permit may also be issued on the basis of the approved development permit under the provisions contained in Article 4. A Certificate of Occupancy may not be issued, however, until a Certificate of Development Conformance for the project has been executed by the Owner and an executed Development Performance and Maintenance Agreement has been received in accordance with these Regulations.

11.2.4 Certificate of Development Conformance Approval Process.

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

b. The Director shall further determine that either:

(1) All Public improvements and installations to the development required to be dedicated and for approval of the Certificate of Development Conformance under the rules and regulations of Peachtree Corners have been completed in accordance with the appropriate specifications; or;

(2) All of the storm water drainage and detention facilities, water and sewer utilities, street base and curbing construction required for approval of the Certificate of Development Conformance have ben properly installed and completed and, for those required Public improvements not yet completed, within areas to be dedicated, (grassing, pavement topping, required landscaping, sidewalks, etc.) a performance bond shall have been filed by the developer with the Development Performance and Maintenance Agreement, which performance

bond shall:

(a) Be conditioned upon the faithful performance by the developer of all work required to complete all Public improvements and installation required to be dedicated for the development, or approved portion thereof, in compliance with these rules and regulations within a specified time, not to exceed three months;

(b) Be payable to, and for the indemnification of, the City;

(c) Be in an amount equal to the cost of construction of the required Public improvements required to be dedicated not yet completed plus an additional ten (10) percent of said costs, as calculated by the Director on the basis of yearly contract prices or City contracts, where available;

(d) Be with surety by a company entered and licensed to do business in the State of Georgia; and,

(e) Be in a form acceptable to the Director or the City Attorney.

c. Payment for materials and installation of traffic control shall be made to the Department of Engineering in accordance with the traffic engineering regulations prior to approval of the Certificate of Development Conformance. Payment of the cost of striping major thoroughfares or required signalization if required and not completed by the developer shall also be received by the Engineering Department prior to approval of the Certificate of Development Conformance.

d. Payment of the required plat recording fee shall be made to the Department prior to approval of the Final Plat.

e. Once the Department has approved the Certificate of

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

11.3 ASSIGNMENT OF NAMES AND ADDRESS

11.3.1 Subdivision or Development Names.

a. Proposed subdivision or development names must be reviewed and approved prior to the issuance of a development permit. Names will be reviewed by the Department upon submittal of the Preliminary Plat or Site Plan

b. Proposed names shall not duplicate or too closely approximate, phonetically, the name of any other subdivision or development in Peachtree Corners or its municipalities except for extensions of existing subdivisions or developments.

c. Subdivision and development names may be reserved if submitted and approved along with the Concept Plan for the project.

11.3.2 Street Names.

a. Proposed street names must be reviewed and approved prior to approval of a Final Plat for recording. Street names may be reserved through approval as shown on an approved Concept Plan or Preliminary Plat for the subdivision. Proposed names for

private streets shall follow the same rules as for public streets.

b. Street names shall consist of a root name of the developer's choosing and a suffix designation (such as "Street", "Avenue", "Drive", etc.), and shall be followed by a quadrant suffix. Directional prefixes (i.e., "North", "South") and the prefixes "old" or "new" shall not be used.

c. All streets shall bear the proper quadrant suffix appropriate to its location within the City (i.e. NE, NW, SE and SW), as determined by the Department.

d. A proposed street that is obviously in alignment with another already existing and named street shall bear the name of such existing street, unless this requirement is waived by the Departments of Public Safety and Engineering.

e. Except within the same development, no proposed street name shall duplicate (be spelled the same or be phonetically the same) as an existing street name within Peachtree Corners regardless of the use of such suffix designations as "Street", Avenue", "Boulevard", "Drive", "Place", "Way", "Court", or however otherwise designated. In the same subdivision, a root name may not occur more than twice.

f. All street root names and suffix designations are subject to the approval of the Department. Obscene or otherwise unacceptable language, abbreviations, contractions, or initials may not be used.

g. Root names shall consist of no more than 13 characters including space, hyphens, etc. Letters not occurring in the English alphabet, and numerals, shall not be used.

11.3.3 Street Address Assignments.

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

b. Subdivisions

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

c. Commercial/Industrial Projects or Buildings

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

d. Apartment Projects

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

e. Condominium Projects

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

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

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

11.4 INITIATION OF DEVELOPMENT ACTIVITIES

11.4.1 Initial Activities Required.

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

a. Required erosion control measures must be installed where practical by the developer and inspected and approved by the Department prior to actual grading or removal of vegetation. All control measures shall be in place as soon after the commencement of activities as possible and in coordination with the progress of the project.

b. Soil sedimentation facilities must be installed and operational prior to major grading operations.

c. Areas required to be undisturbed by the Zoning Resolution, conditions of zoning approval, Metropolitan River Protection Act or other ordinance or regulation shall be designated by survey stakes, flags, or other appropriate markings and shall be inspected and approved by the Department of Development prior to the commencement of any clearing or grading activities.

11.4.2 Tree Protection Areas.

Prior to the initiation of land disturbance activities and throughout the clearing and grading process the

following must be accomplished for an designated tree protection area in accordance with any approved Buffer and Landscape Plan or Tree Preservation/Replacement Plan for the property:

a. For those trees which are not to be removed, all protective fencing, staking, and any tree protection area signs shall be in place. These barriers must be maintained throughout the land disturbance process and should not be removed until landscaping is begun.

b. The tree protection areas shall not be utilized for storage of earth and other materials resulting from or used during the development process.

c. Construction site activities such as parking, materials storage, concrete washout, burning, etc. shall be arranged to prevent disturbances within the tree protection areas.

11.4.3 Development Inspections.

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

a. Clearing or clearing and grubbing of the site or any portion included under the permit.

b. Grading. Installation of slope stakes shall be required. Upon completion of roadway grading, the Water Certificate shall be submitted to the Department certifying that the centerline of the road and the offset centerline of the water line is within 6" of that shown on the approved plans or re-lined plan submittal. Inspection and approval

shall be required prior to trenching or continuation with sub-base preparation.

c. Installation of storm drainage pipe, detention, or other storm water facilities.

d. Installation of sanitary sewer and appurtenances. This notification shall be made simultaneously with official notification by the developer or contractor to the Water Pollution Control Division, and if for informational purposes only to the Department.

e. Curbing of roadways. Inspection should be requested before the forms have been set (if used). Roadway width will be spot checked by string line between curb stakes.

f. Sub-base or subgrade of streets. After compaction, the subgrade will be string-lined for depth and crown. The subgrade shall be roll tested and shall pass with no movement, to the satisfaction of the Department.

g. Street base. The base will be string-lined for depth and crown, and shall pass a roll test with no movement to the satisfaction of the Department.

h. Paving. A Department inspector shall be on site during the paving process to check consistency, depth, and workmanship, as applicable. For asphalt paving, the temperature of the material will be spot-checked, and the roadways will be cored after completion to check thickness.

11.4.4 Responsibility For Quality And Design.

The completion of inspections by Peachtree Corners officials or employees and authorization for work continuation shall not transfer responsibility for the quality of the work performed or materials used from the contractor or developer, no imply or transfer acceptance

of responsibility for project design or engineering from the professional corporation or individual under whose hand or supervision the plans were prepared.

11.4.5 Stop Work Orders.

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

11.4.6 Stabilization For Erosion Control.

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

11.5 APPROVAL OF DEVELOPMENT CONFORMANCE

11.5.1 Prerequisite To Final Plat Or Certificate Of Occupancy.

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

ordinances. Such approval shall be revoked in cases of fraud or whenever unauthorized changes are made to the site without the benefit of required permits.

11.5.2 Submission Requirements.

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

11.5.3 Approval.

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

11.6 PROJECT CLOSEOUT AND CONTINUING MAINTENANCE

11.6.1 Development Performance And Maintenance Agreement.

Based on the approved Certificate of Development Conformance, the owner shall file a final Development Performance and Maintenance Agreement with the Director,

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

a. Final required improvements yet to be completed (e.g., grassing, topping, sidewalks, required landscaping) and performance bonding. Final landscaping shall be provided in accordance with a schedule acceptable to the Department. The developer may be allowed up to three months in which to finish the other designated improvements, after the date of approval of the Certificate of Development Conformance.

b. Maintenance of the public streets and drainage facilities within public streets or easements for the bonding period after the date of approval of the Certificate of Development Conformance. Repairs shall be made for any deficiencies identified within the bonding period or the bonds shall be called to complete same.

c. Indemnification of the City against all liability for damages arising as a result of errors or omissions in the design or construction of the development for a period of ten years. If liability is subsequently assigned or transferred to a successor in title or other person, a copy of such legal instrument shall be filed with the Clerk to Superior Court.

11.6.2 Maintenance And Performance Surety.

a. The maintenance surety and the performance surety, required from the owner/developer or the contractor employed by the owner/developer, may be in the form

of cash deposited with the City, or a bond, letter of escrow or letter of credit from a bank or other financial institution in a form acceptable to the Director or City Attorney.

b. Performance surety and Maintenance surety shall, in all cases, be provided in an amount as provided in Sections 11.1.4 or 11.2.4 as applicable. The Maintenance Bond period of application shall not be less than 18 months from installation of the wearing course or final topping for a one-pass street and not less than 12 months from the installation of the binder for a two-pass street and which time shall be extended equal to any extension of time for the Performance Bond granted by the Director but not to exceed 24 months. The Performance Bond period of application shall not exceed 3 months unless an extension of an additional 3 calendar months has been granted by the Director. All cost estimates shall be as prepared by or acceptable to the Department.

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

ARTICLE 12
FEES

12.1 Fees Set By Mayor and Council.

Application filing and permit fees shall be as may be established from time-to-time by the Mayor and Council.

12.2 Prerequisite To Issuance Of Permit(s).

Permit fees, if any, shall be submitted as a prerequisite to issuance of the permit. Non-payment as a result of submission of a check having insufficient funds on account, or for any other reason, shall cause the permit to be voided and re-issuance subject to penalty as may be established by the Mayor and Council.

12.3 Fees Nonrefundable.

Application fees, if any, shall be submitted with the application and upon acceptance of said submission for review and consideration shall not be refundable. Failure to pay a required application fee shall cause the application to be returned to the applicant without acceptance for review or consideration by the City.

12.4 Sanitary Sewer, Curb Cut, Etc., Fees.

Following the approval of development plans, and prior to authorization to begin construction, the developer shall pay into the Treasury of Peachtree Corners such required inspection, sanitary sewer permit charges, curb cut, or other fees as may be established from time-to-time by the Mayor and Council. Such fees shall not be refundable following issuance of a Development Permit, except upon approval of the Mayor and Council.

12.5 Traffic Control Fees.

Prior to Approval of Development Conformance for a

project, the developer shall provide to the Department of Engineering such fees for traffic control signs, street name signs, and street striping as shall be required by Traffic Engineering Regulations and established from time-to-time by the Mayor and Council.

12.6 Recording Fees.

Prior to approval of a Final Plat or Certificate of Occupancy, the developer shall provide to the Department of Development such recording fees and performance and/or maintenance bonds as shall be required by these Regulations or established from time-to-time by the Mayor and Council.

ARTICLE 13
ADMINISTRATION, APPEAL, AND VIOLATIONS

13.1 ADMINISTRATION

13.1.1 Administered By Director Of Planning and Development.

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

13.1.2 Director Authorized To Suspend Or Stop Work And Direct Corrections.

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

13.2 REGULATIONS TO BE PUBLISHED

It shall be the duty and responsibility of the Director of the Department of Planning and Development to maintain an accurate and up-to-date compilation of these Development Regulations and all amendments and pertinent attachments thereto, and to publish said compilation and

make it available to the public at a cost as established by the Mayor and Council.

13.3 MODIFICATIONS

Modification of the design standards set forth in these Development Regulations may be authorized by the Director in specific cases when, in his opinion, undue hardship may result from strict compliance; provided any such determination shall be based fundamentally on the fact that unusual topographical or other exceptional conditions require such modification, or that the granting of the modification will not adversely affect the general public welfare or nullify the intent of these Regulations. Any such modification granted by the Director shall be made in writing to the developer and also made a part of the Department's records. Application for any modifications shall be filed in writing on a form provided by the Department with necessary supporting documents with the Director by the developer and shall explain in detail the reasons and facts supporting the application.

13.4 APPEAL AND WAIVER OF THE REGULATIONS

13.4.1 Appeals.

Appeals of the interpretation by the Director of the requirements of these Regulations shall first be submitted in writing (on a form provided by the Department) to the Director who shall review the request in a timely manner and receive comments from other affected departments. The appeal thereupon shall be forwarded to the Mayor and Council for final action in their normal course of business. Exception: appeal requests from the storm water requirements of Articles 7, 8 or 9 shall be submitted to the Board of Construction adjustments and Appeals for action in their normal course of business.

13.4.2 Waivers.

Waiver requests of the requirements of these Regulations shall be submitted on an application form as prescribed by the Director, along with such fees as shall be established by the Mayor and Council. The Director shall coordinate the review of each waiver request with all other affected City departments and shall summarize such comments or recommendations as may be received to the Mayor and Council for action in their normal course of business. Exception: waiver requests from the storm water requirements of Articles 7, 8 or 9 shall be submitted to the Board of Construction Adjustments and Appeals for action in their normal course of business.

13.5 VIOLATIONS, ENFORCEMENT AND PENALITIES

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

13.5.1 Enforcement Procedures.

The following are the enforcement procedures authorized by this ordinance:

a. Notices of Violation

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

1. The name and address of the owner or responsible person;

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

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

b. Stop Work Orders.

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

c. Refusal to Issue Certificates of Occupancy or Completion.

The director is authorized to refuse to issue Certificates of Occupancy or Completion for the building or other improvements constructed or being constructed on a site until the owner or responsible person has taken the remedial actions

or measures as set forth in the Notice of Violation or has otherwise corrected the violations described therein.

d. Suspension, Revocation, or Modification of Permit.

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

e. Refusal to Approve Final Subdivision Plats.

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

f. Issuance of Citations or Summons to Court.

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

13.5.2 Legal Penalties and/or Remedies.

a. Fine and/or Sentence.

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

b. Other Legal Remedies.

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

13.5.3 Other Legal Remedies.

In any case in which any land is, or is proposed to be, used or activities are undertaken in violation of these Regulations or any amendment thereto adopted by the Mayor and Council, the City, in addition to other remedies provided by law, may petition for a restraining order, injunction, abatement, or take any other appropriate legal action or proceeding through a court of competent jurisdiction to prevent, restrain, or abate such unlawful use or activity.

ARTICLE 14
ADOPTION AND AMENDMENT

14.1 EFFECTIVE DATE

14.1.1 Effective On Adoption.

These regulations shall be in full force and effect on _____, 2013, following the adoption by the Mayor and Council of Peachtree Corners, Georgia, and shall apply to any land disturbance Permit for which an application is received after the effective date of these Regulations.

14.1.2 Grandfather Provisions: Development Permit Application Received Prior To Adoption.

Any subdivision or other project for which a valid and complete application for a Development Permit shall have been received prior to the effective date of these Regulations shall be considered "grandfathered" and, at the developer's option, may proceed to completion and building permits may be issued under the Subdivision Regulations of Peachtree Corners in place prior to the effective date of these Regulations, provided that the Development Permit is or can be issued within 90 calendar days of said effective date and all time frames associated with said permit are observed.

14.1.3 Grandfather Provisions: Development Permit Issued Prior To Adoption.

Any subdivision or other project for which a Development Permit has been issued prior to the effective date of these Regulations shall be considered "grandfathered" and, at the developer's option, may proceed to completion and building permits may be issued under the terms of said permit and the Subdivision Regulations of Peachtree Corners in place prior to said effective date.

14.1.4 Grandfather Provisions: Clearing, Clearing And Grubbing, Grading.

Any subdivision or other project for which only a Clearing, Clearing and Grubbing, or Grading Permit shall have been issued prior to effective date of these Regulations shall be brought into conformance with these Regulations prior to issuance of a Development Permit. Administrative modifications in accordance with Article 13 shall be granted as necessary and appropriate where full compliance is not feasible or cannot reasonably be achieved because of the stage of development, limitations imposed by the site, or design parameters.

14.1.5 Building Permits.

Nothing in these Regulations shall be construed to affect the validity of any building permit lawfully issued prior to the effective date of these Regulations.

14.2 AMENDMENTS

14.2.1 By Mayor and Council.

These Regulations may be amended from time-to-time by resolution of the Mayor and Council of Peachtree Corners. Such amendments shall be effective as of their date of adoption unless otherwise stated in the adopting resolution.

14.2.2 Grandfather Provisions: Development Permit Application Received Prior To Adoption.

Any subdivision or other project for which a valid and complete application for a Development Permit shall have been received prior to the adoption of an amendment to these Regulations may, at the developer's option, proceed to completion and building permits may be issued as though no amendment had been approved, provided that the Development Permit is or can be issued within 90 calendar days of said amendment and all time frames associated with said permit are observed.

14.2.3 Grandfather Provisions: Development Permit Issued Prior To Adoption.

Any subdivision or other project for which a Development Permit has been issued prior to the adoption of an amendment to these Regulations may, at the developer's option, proceed to completion and building permits may be issued as though no amendment had been approved.

14.2.4 Grandfather Provisions: Clearing, Clearing And Grubbing, Grading.

Any subdivision or other project for which only a Clearing, Clearing and Grubbing, or Grading Permit shall have been issued prior to adoption of an amendment to these Regulations shall be brought into conformance with the amendment (if applicable) prior to issuance of a Development Permit. Administrative modifications in accordance with Article 13 shall be granted as necessary and appropriate where full compliance is not feasible or cannot reasonably be achieved because of the stage of development, limitations imposed by the site, or design parameters.

14.2.5 Building Permits.

No amendment to these Regulations shall be construed to affect the validity of any building permit lawfully issued prior to the adoption of said amendment.

14.3 SEVERABILITY

If any section, subsection, sentence, clause, or phrase of these Regulations is for any reason held to be unconstitutional or void, the validity of the remaining portions of these Regulations shall not be affected thereby, it being the intent of the Mayor and Council of Peachtree Corners in adopting these Regulations that no portion thereof or provision of the Regulations contained herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase, or provisions of these Regulations.

14.4 CONFLICTING REGULATIONS

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

City of Peachtree Corners

Floodplain Management Ordinance

Adoption Date:
Effective Date:
Ordinance No.:

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1.1. PURPOSE AND DEFINITIONS.

1.1.1 Findings

It is hereby determined that:

a. The flood hazard areas of the City of Peachtree Corners are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare;

b. Flood hazard areas can serve important stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological purposes when permanently protected as undisturbed or minimally disturbed areas;

c. Effective floodplain management and flood hazard protection activities can (1) Protect human life and health; (2) Minimize damage to private property; (3) Minimize damage to public facilities and infrastructure such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains; and (4) Minimize expenditure of public money for costly flood control projects associated with flooding and generally undertaken at the expense of the general public; and,

d. Article IX, Section II of the Constitution of the State of Georgia and Section 36-1-20(a) of the Official Code of Georgia Annotated have delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Peachtree Corners, Georgia, does ordain this ordinance and establishes this set of floodplain management and flood hazard reduction policies for the purpose of regulating the use of flood hazard areas. It is determined that the regulation of flood hazard areas and the prevention of flood damage are in the public interest and will minimize threats to public health and safety, as well as to private and public property.

1.1.2. Requirements.

The requirements of this ordinance only apply to the development of or construction upon any property which adjoins or contains an area subject to inundation by the future conditions flood or the base flood, as defined herein.

1.1.3. Statement of Purpose.

It is the purpose of this ordinance to protect, maintain, and enhance the public health, safety, environment, and general welfare and to minimize public and private losses due to flood conditions in flood hazard areas, as well as to protect the beneficial uses of floodplain areas for water quality

protection, streambank and stream corridor protection, wetlands preservation and ecological and environmental protection by provisions designed by:

a. Restricting or prohibiting uses activities which are dangerous to health, safety, and property due to flooding or erosion hazards or in flood heights or velocities;

b. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction or renovation;

c. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;

d. Controlling filling, grading, dredging and other development which may increase erosion or flood damage;

e. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands; and,

f. Protect the stormwater management, water quality, streambank protection, stream corridor protection, wetland preservation and ecological functions of natural floodplain areas.

1.1.4. Special Definitions.

The following definitions of words or phrases apply only to their use and application within the context of this ordinance, and are included herein because of their special nature. For more common or general definitions, see the Development Regulations of the City of Peachtree Corners, Georgia.

Addition (to an existing building) - Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common loadbearing wall other than a 4-hour firewall. Any walled and roofed addition which is connected by a four-hour fire wall or is separated by independent perimeter load-bearing walls is new construction.

Appeal – A request for a review of the Department's interpretation of any provision of this ordinance.

Base Flood - The flood having a one percent chance of being equaled or exceeded in any given year; i.e., the "100-year flood".

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

Basement - That portion of a building having its floor subgrade (below ground level) along all or a majority of its perimeter length, and includes the term "cellar."

Breakaway Wall - A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Building - Any structure built for support, shelter, or enclosure for any occupancy or storage.

Compensation - Means the replacement of flood storage capacity lost as the result of floodplain encroachment.

Department - Is the City of Peachtree Corners, Department of Planning and Development.

Development - 1. (verb) All activities associated with man-made changes to improved or unimproved real estate and 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 but are not limited to buildings or other structures, mining, dredging, filling, clearing, grubbing, grading, paving, any other installation of impervious cover, excavation or drilling operations, storage of equipment or materials, 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 Regulations - The Development Regulations of the City of Peachtree Corners, Georgia which are administered by the Department of Planning and Development.

Elevated Building - A non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

Existing Construction - Any structure for which the "start of construction" commenced before April 9, 1975.

Existing Manufactured Home Park or Subdivision – A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and final site grading of the pouring of concrete pads) is completed before April 9, 1975.

Expansion to an Existing Manufactured Home Park or Subdivision – The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.

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 this ordinance.

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

(a) the overflow of inland waters; or
(b) the unusual and rapid accumulation or runoff of surface waters from any source.

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 Insurance Administration evaluating flood hazards and containing flood profiles and water surface elevations of the base flood.

Flood Prone Area or Floodplain – Any land area subject to flooding.

Flood Proofing - Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to: 1) discharge the base flood without cumulatively increasing the water surface elevation more than one foot above the base flood elevation; or, 2) discharge the future conditions flood without cumulatively increasing the water surface elevation more than one foot above the future conditions flood elevation. The more restrictive shall apply.

Floor - The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Functionally Dependent Use - A use which cannot be used for its intended purpose unless it is located or carried out in close proximity to water.

Future Conditions Flood – This flood standard is equal to or higher than the Base Flood. The flood having a one percent chance of being equaled or exceeded in any given year based on future conditions hydrology.

Future Conditions Flood Elevation – This flood standard is equal to or higher than the Base Flood Elevations. The highest water surface elevation anticipated at any given point during the future conditions flood.

Future Conditions Floodplain - Any land area susceptible to flooding by the future-conditions flood.

Future Conditions Hydrology - The flood discharges associated with the drainage basin being fully developed as shown on the currently adopted future Land Use Plan. Only detention that can be shown that it will remain (i.e. owned by the County) and is large enough to be included in the hydrograph routings shall be considered when determining the flood peak. No consideration of projected future construction of flood detention structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation shall be given.

Highest Adjacent Grade - The highest natural (original) elevation of the ground surface, prior to construction, next to the proposed foundation of a structure.

Historic Structure - Any structure that is;

a. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

c. Individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or

d. Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior, or
2. Directly by the Secretary of the Interior in states without approved programs.

Lowest Floor - The lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of other provisions of this ordinance.

Manufactured Home - A structure (or building), transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes mobile homes, park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

Mean Sea Level (MSL) - 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 this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD) and/or North American Vertical Datum (NAVD) of 1988.

National Geodetic Vertical Datum (NGVD) - as corrected in 1929, the vertical control used as a reference for establishing varying elevations within the floodplain.

New Construction – Any structure for which the "start of construction" commenced on or after the effective date of this ordinance, April 9, 1975, and includes any subsequent improvements to the structure.

New manufactured home park of subdivision – A manufactured home park of subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be fixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading of the pouring of concrete pads) is completed on or after April 9, 1975.

North American Vertical Datum (NAVD) of 1988 - A vertical control used as a reference for establishing varying elevations within the floodplain.

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

Permit - The permit issued by the Department to the applicant which is required prior to undertaking any development activity.

Principal Building – A building built to fulfill the primary or predominant purpose for which a lot is occupied and/or used.

Recreational Vehicle - A vehicle which is:

a. built on a single chassis;

b. 400 square feet or less when measured at the largest horizontal projection;

c. designed to be self-propelled or permanently towable by light duty truck; and,

d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Repetitive Loss - Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals, or exceeds 25 percent of the market value of the structure before the damage occurred.

Special Flood Hazard Area - The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation (including A, A1-30, A-99, AE, AO, AH, and AR on the FHBM or the FIRM), all floodplain and flood prone areas at or below the future conditions flood elevation, and all other flood prone areas as referenced in Section 1.2.1. All streams with a drainage area of 100 acres or greater shall have the area of special flood hazard delineated. In the absence of official designation by the Federal Emergency Management Agency, Special Flood Hazard Areas shall be those designated by the local community and referenced in Section 1.2.1.

Start of Construction - Includes substantial improvement, and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation; or, the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include buildings appurtenant to the permitted structure, such as garages or sheds not occupied as dwelling units or not part of the main structure. (NOTE: accessory structures are not exempt from any ordinance requirements).

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure – A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank.

Subdivision - 1. (verb) Any division or re-division of a lot, tract or parcel, regardless of its existing or future use, resulting in 1 or more new lots, tracts or parcels. The term, "subdivision" shall mean the act or process of dividing property. Lots that do not abut or are not directly across a public street from other subdivided lots shall be considered a separate distinct subdivision with a separate name. 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.

Substantial Damage - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement - Any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during a ten-year period, in which the cumulative cost equals or exceeds fifty percent of the market value of the structure prior to the improvement. The market value of the structure should be:

a. The appraised value of the structure prior to the start of the initial repair or improvement; or,
b. In the case of damage, the value of the structure prior to the damage occurring.

This term includes structures which have incurred “repetitive loss” or "substantial damage" regardless of the actual amount of repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the structure commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Substantially Improved Existing Manufactured Home Parks or Subdivisions – Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction of improvement commenced.

Variance – A grant of relief from the requirements of this ordinance that permits construction in a manner otherwise prohibited by this ordinance.

Violation - The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certificates, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

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

1.2. GENERAL PROVISIONS.

1.2.1. Flood Area Maps and Studies.

a. For the purposes of this ordinance, the following are adopted:

(1) The Flood Insurance Study (FIS), dated December 5, 1980 and Flood Insurance Rate Map (FIRM), dated June 15, 1981, prepared by the Federal Emergency Management Agency (FEMA) for area within the City of Peachtree Corners, Georgia, with accompanying maps and other supporting data and any revision thereto.

b. Other studies which may be relied upon for establishment of the base flood elevation or delineation of the 100-year floodplain include:

(1) Any flood or flood related study conducted by the United States Corps of Engineers or the United States Geological Survey or any local, State, or Federal Agency applicable to the City of Peachtree Corners.
(2) Any base flood study authored by a currently registered professional engineer in the State of Georgia which has been approved by the Department.

c. Other studies which may be relied upon for establishment of the future conditions flood elevation or delineation of the future conditions floodplain include:

(1) Any flood or flood related study conducted by the United States Corps of Engineers or the United States Geological Survey or any local, State, or Federal Agency applicable to the City of Peachtree Corners.
(2) Any future conditions flood study authored by a currently registered Professional Engineer in the State of Georgia which has been approved by the Department.

d. The repository for public inspection of the FIS, accompanying maps and other supporting data is located at the following location:

Gwinnett County Department of Water Resources
One Justice Square
446 West Crogan Street
Lawrenceville, GA 30045.

1.2.2. Areas Regulated.
This ordinance shall be applicable to all Special Flood Hazard Areas within the boundaries of the City of Peachtree Corners, Georgia.

1.2.3. Interpretation.

a. In the interpretation and application of this ordinance all provisions shall be:

(1) Considered as minimum requirements;
(2) Liberally construed in favor of the City of Peachtree Corners; and,
(3) Deemed neither to limit nor repeal any other powers granted under state statutes.

b. Where interpretation is needed as to the exact location of floodplain or floodway boundaries (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Department shall make the necessary interpretation based on data submitted by the applicant. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this ordinance.

c. Where flood plain elevations have been defined, the floodplain shall be determined based on flood elevations rather than the area graphically delineated on the floodplain maps.

1.2.4. Drainage Easement Established.
On behalf of the public, a drainage easement is hereby established for the sole purpose of preserving and protecting the free flow of surface waters inside the future conditions Flood contour elevations and along all watercourses. Where debris has accumulated in such a manner as would increase the need for flood protection, raise the flood level, or increase the risk of hazardous inundation of adjacent communities or jurisdictions, the County is hereby authorized to enter upon such watercourse and clear or remove such debris or obstructions as are hazardous to the public safety. The cost thereof shall be charged to the owner of the property where such debris and/or obstruction was generated. Where erosion has occurred in such a manner as would endanger a building or a structure, the County is hereby authorized to enter upon such watercourse and stabilize the channel for public safety. The cost thereof shall be charged to the owner of the property where the erosion has occurred and/or caused the erosion.

1.2.5. Establishment of Development Permit.
A Development Permit shall be required in conformance with the provisions of the Development Regulations prior to the commencement of any clearing, grading, or development activities adjacent to, within, or affecting a future conditions floodplain.

1.2.6. Compliance.
No structure or use of land shall hereafter be located, extended, converted or structurally altered without full

compliance with the terms of this ordinance and other applicable regulations.

1.2.7. Abrogation and Greater Restrictions.
This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other codes or regulations conflict or overlap, with respect to the prevention of flood damage on property this ordinance shall prevail.

1.2.8. Warning and Disclaimer of Liability.
The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard or Flood Prone areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Peachtree Corners or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

1.2.9. Designation of Ordinance Administrator.
The Director of the Department of Planning & Development or the director's designee is hereby appointed to administer and implement the provisions of this ordinance.

1.2.10. Duties and Responsibilities of Ordinance Administrator
The duties of the director or director's designee shall include, but shall not be limited to:

a. Review all development applications and permits to assure that the requirements of this ordinance have been satisfied and to determine whether proposed building sites will be reasonably safe from flooding;

b. Require that copies of all necessary permits from governmental agencies from which approval is required by Federal or state law, including but not limited to Section 404 of the Federal Water Pollution Control Act Amendments of 1972,33 U.S.C. 1334, be provided and maintained on file;

c. When Base Flood Elevation data or floodway data have not been provided, then the director or director's designee shall require the applicant to obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, state or other sources in order to meet the provisions of Sections 1.4 and 1.5;

d. Review and record the actual elevation in relation to mean sea level (or highest adjacent grade) of the lowest floor, including basement, of all new or substantially improved structures;

e. Review and record the actual elevation, in relation to mean sea level to which any substantially improved structures have been flood-proofed;

f. When flood-proofing is utilized for a non-residential structure, the director or director's designee shall obtain certification of design criteria from a registered professional engineer or architect;

g. Notify affected adjacent communities and the Georgia Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);

h. Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Area (e.g., where there appears to be a conflict between a mapped boundary and actual field conditions) the director or director's designee shall make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this ordinance. Where floodplain elevations have been defined, the floodplain shall be determined based on flood elevations rather than the area graphically delineated on the floodplain maps; and,

i. All records pertaining to the provisions of this ordinance shall be maintained in the office of the director or director's designee and shall be open for public inspection.

1.3. ADMINISTRATION.

1.3.1. General Permit Procedures.

An application for a Development Permit on any property where a Special Flood Hazard Area is located or is proposed to be altered or disturbed in any way shall be made to the Department on appropriate forms prior to any development activities. The application shall include, but not be limited to, plans drawn to scale of the property showing the floodplain, floodway and the nature, location, dimensions, and elevations of existing or proposed structures, fill, storage of materials, and drainage facilities.

1.3.2. Floodway Encroachments.

a. Application Procedure.

An application for a Development Permit which proposes any encroachment into or alteration of a floodway shall require submittal to the Department complete plans and engineering calculations as required by this ordinance for "no rise" certification. The Department shall review and authorize such encroachments prior to the issuance of a Development Permit and shall obtain from the applicant an engineering "no-rise" certification signed by a professional engineer stating that the proposed development will not create any change to the pre-project base flood elevations, floodway elevations, or floodway widths. If the applicant proposes to revise the floodway boundaries or base flood elevations, no permit authorizing an encroachment into or the alteration of the floodway shall be issued by the Department until an affirmative Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable, is issued and “no rise” certification is approved by the Department. An application for a map revision shall be submitted first to the Department. As-built plans and calculations shall be required to be provided to the Department by the applicant at the time of completion of the encroachment. Payment of any review fees associated with the review and approval of the encroachment shall be the responsibility of the applicant. Final Plats or Certificates of Occupancy shall not be issued by the Department until an affirmative Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA), whichever is applicable, is issued.

b. Flood Levels Resulting from Floodway Encroachments.

(1) Encroachments into a floodway established on the Flood Boundary and Floodway Maps or FIRM, including fill, new construction, substantial improvements and other developments shall be

prohibited except for activities specifically allowed in (2) below.

(2) Encroachments for bridges, culverts, roadways and utilities within the regulatory floodway may be permitted provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase to the pre-project base flood elevations, floodway elevations, or floodway widths during the base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof.

(3) In areas where the floodplain has been established but the base flood elevation (BFE) and/or the floodway has not been established on FIS maps, no encroachments into areas of special flood hazard, including fill or structures, shall be authorized unless certification by a registered professional engineer is provided to the Department demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the floodplain more than 0.01 foot at any point. The study shall be submitted as a revision/ amendment to the FIS maps showing the BFE and the floodway. Approval of the revision/ amendment must be received before the Final Plat can be approved or a Certificate of Occupancy can be issued.

(4) In areas beyond the limits of study on the Flood Boundary and Floodways Maps or FIRM, which contains a watercourse, and have greater than 100 acres of surface drainage area above the property, no increase in flood elevations off-site shall be authorized.

1.3.3. Other Permits or Approvals.

a. Copies of any additional Federal or State permits or approvals as may be required by the Corps of Engineers, Georgia Department of Natural Resources, FEMA, or others shall be provided by the developer upon their approval and maintained on file in the Department of Planning and Development.

b. The Department shall notify adjacent communities and the Georgia Department of Natural Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).

1.4. STANDARDS FOR DEVELOPMENT.

1.4.1. Definition of Floodplain Boundaries.

a. Studied "A" zones, identified in the City of Peachtree Corners Flood Insurance Study, shall be used to establish base flood elevations whenever available.

b. For Special Flood Hazard Areas, the base flood elevation and future conditions flood elevation shall be determined from the FIRM and FIS or provided by the Department. If base flood elevation and future conditions flood elevation data is not available, then is shall be determined by a registered professional using FEMA approved methodology. The method of analysis shall be subject to the approval of the Department.

c. The boundaries or limits of the floodplain shall be within 0.5 feet vertical accuracy on the Development Plan containing existing topographic information.

1.4.2. Definition of Floodway Boundaries.

a. The width of a floodway shall be determined from the FIS or FEMA approved flood study. For all streams with a drainage area of 100 acres or greater, the regulatory floodway shall be provided by the Department. If floodway data is not available from the Department, then it shall be determined by a registered professional engineer using a method approved by FEMA and the Department.

b. Following a pre-design conference with the Department, the boundaries or limits of the floodway shall be shown on the Development Plan containing existing topographic information.

1.4.3. General Standards.

a. No construction or structures, including grading, filling, cutting or displacement of earth shall be allowed within the base flood or future conditions floodplain that could result in any of the following:

(1) Raise the base flood or future conditions flood elevation equal to or more than 0.01 foot.

(2) Reduce the base flood or future conditions flood storage capacity. All compensation shall occur either within the boundaries of ownership of the property being developed, or within a permanent, recorded flood control easement (which shall be a part of the Departmental record), and shall be within a reasonable proximity to the location of the encroachment. Acceptable means of providing required compensation include: lowering of natural ground elevations within the floodplain; or, lowering of adjoining land areas to create

additional floodplain; or raising of the future conditions flood elevation within the boundaries of ownership of the property being developed. All cut areas are to be graded to a slope of no less than 2 percent. In no case shall any required compensation be provided via bottom storage or by excavating below the elevation of the top of the natural (pre-development) stream channel unless such excavation results from widening or relocation of the stream channel. A step-backwater analysis will be required to verify no rise conditions, flood storage volumes, and flow characteristics.

(3) Change the flow characteristics of the waters of the base flood or future conditions flood as they pass both the upstream and the downstream boundaries of the property. Verification shall be provided via a step-backwater analysis.

(4) Create hazardous or erosion-producing velocities, or result in excessive sedimentation.

b. All proposed development shall have public utilities and facilities, such as sewer, gas, electrical and water systems, located and constructed to minimize or eliminate flood damage.

c. Any significant changes or revisions to the flood data adopted herein and shown on the City of Peachtree Corners FIRM shall be submitted as a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Amendment (CLOMA), whichever is applicable. The CLOMR submittal shall be subject to approval by the Department using the Community Consent forms before forwarding the submittal package to FEMA for final approval. The responsibility for forwarding the CLOMR to FEMA and for obtaining the CLOMR approval shall be the responsibility of the applicant. Within six months of the completion of construction, the applicant shall submit as-built surveys for a final Letter of Map Revision (LOMR).A Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA) must be issued before the Final Plat can be approved or a Certificate of Occupancy can be issued. Significant changes or revisions shall be defined as any change to the City of Peachtree Corners FIRM easily observed when plotted at a scale of 1" = 500'. The changes or revisions may be due to but are not limited to more current and/or superior topographic information or compensatory cut and fill grading done as a part of the development.

1.4.4. Engineering Study Requirements

An engineering study is required (as appropriate to the proposed development activities on the site) when a base flood or future conditions floodplain is located on the property proposed for development. This study shall be prepared by a currently registered Professional Engineer in Georgia and made a part of the application for a Development

Permit. This information shall be submitted to and approved by the Department prior to the approval of any permit that would authorize the development.

a. Description of the extent to which any watercourse or floodplain will be altered or relocated as a result of the proposed development.

b. Any report that must be submitted for review, in accordance with this ordinance, must use a step backwater analysis approved by the Department. Cross-sections (which may be supplemented by the applicant) and flow information from the existing FIS will be obtained whenever available. Where applicable, computations will be shown duplicating FIS results and then computations will be rerun with the proposed modifications to determine the new base flood and future conditions flood profiles.

c. Floodplain storage calculations based on cross-sections (at least one every 100 feet) showing existing and proposed floodplain conditions must be provided to show that future conditions floodplain storage capacity will not be diminished by the development.

d. If changes to the base flood or future conditions flood elevation are proposed, profiles of the channel showing the existing and proposed base flood and future conditions flood elevations must be provided.

e. The study shall include a preliminary plat, grading plan, or site plan, as appropriate, which shall clearly define all future conditions floodplain encroachments.

f. The floodway shall be determined when any encroachment in the floodplain is proposed or a detailed study is performed to determine flood profiles.

g. Detailed flood studies in areas where the floodplain has been established but the Base Flood Elevation (BFE) and/or the floodway has not been established and in areas beyond the limits of study on the FIRM, which may contain a watercourse, and have greater than 100 acres of surface drainage area above the property, shall be submitted showing the base flood elevations, future conditions flood elevations, and the floodway. Approval of the study must be received before the Final Plat of the affected lots can be approved or a Certificate of Occupancy can be issued.

1.4.5. Maintenance Requirements.

The property owner shall be responsible for continuing maintenance as may be needed within an altered or relocated portion of a floodplain on his property so that the flood-carrying or flood storage capacity is not diminished. The City of Peachtree Corners may direct the property owner (at no cost to the City) to restore the flood-carrying or flood storage capacity of the floodplain if the owner has

not, in the opinion of the City pursuant to the approved plans and floodplain report on file with the Department, performed satisfactory maintenance.

1.4.6. Standards for Utilities.

a. All new and replacement water supply and sanitary sewerage systems shall be designed to minimize or eliminate:
   (1) infiltration of flood waters into the systems; and,
   (2) discharges from the systems into flood waters.

b. On-site waste disposal systems shall be located outside the floodplain to avoid impairment to them, or contamination from them during flooding.

1.4.7 Standards for Subdivisions

a. All subdivision proposals shall identify the special flood hazard area and provide base flood elevation data and future-conditions flood elevation data;

b. All residential lots in a subdivision proposal shall have sufficient buildable area outside of the future-conditions floodplain such that encroachments into the future-conditions floodplain for residential structures will not be required unless all requirements of Sections 1.3 and 1.4 have been met;

c. All subdivision plans will provide the elevations of proposed structures in accordance with Section 3.2.

d. All subdivision proposals shall be consistent with the need to minimize flood damage;

e. All subdivision proposals shall have public utilities and facilities such as water, sanitary sewer, gas, and electrical systems located and constructed to minimize or eliminate infiltration of flood waters, and discharges from the systems into flood waters; and,

f. All subdivision proposals shall include adequate drainage and stormwater management facilities per the requirements of the Development Regulations to reduce potential exposure to flood hazards.

1.5. STANDARDS FOR BUILDING CONSTRUCTION.

1.5.1. Structures and Buildings Authorized in the Floodplain.

a. Residential Buildings.

(1) New Construction.
New construction of principal buildings, including Manufactured Homes shall not be allowed within the limits of the future conditions floodplain, unless all requirements of Sections 1.3 and 1.4 have been met. If all of the requirements of Sections 1.3 and 1.4 have been met, all new construction shall have the lowest floor, including basement and access to the building, elevated no lower than three (3) feet above the base flood elevation or one (1) foot above the future-conditions flood elevation, whichever is higher. Should solid foundation perimeter walls be used to elevate the structure, openings sufficient to equalize the hydrologic flood forces on exterior walls and to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of Section 1.5.6.

(2) Substantial Improvements.
For substantial improvements to existing principal residential buildings, the requirements of Sections 1.3 and 1.4 shall apply and the elevation of the lowest floor, including basement and access to the building, shall be elevated at least three (3) feet above the level of the highest base flood (100 year) elevation adjacent to the building or at least one (1) foot above the future conditions flood elevation whichever is highest. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with article 1.5.6 titled "Elevated Buildings."

b. Non-Residential Buildings.

(1) New Construction.
New construction of principal buildings, including Manufactured Homes shall not be allowed within the limits of the future conditions floodplain unless all requirements of Sections 1.3 and 1.4 have been met. If all of the requirements of Sections 1.3 and 1.4 have been met, the elevation of the lowest floor, including basement and access to the building, shall be at least one (1) foot above the level of the highest base flood (100 year) elevation adjacent to the building or at least as high as the future conditions flood elevation whichever is highest. The structure, together with

attendant utility and sanitary facilities, must be designed to be watertight to one (1) foot above the base flood elevation, or at least as high as the future-conditions flood elevation, whichever is higher, with walls substantially impermeable to the passage of water and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered Professional Engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Department.

(2) Substantial Improvements.
Substantial improvements to existing principal non-residential buildings may be authorized by the Department to be flood proofed in lieu of being elevated, in accordance with section 1.5.6 titled "Elevated Buildings", provided that all areas of the building less than one (1) foot above the base flood elevation or below the future conditions flood elevation, whichever is highest, are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify to the Department that the standards of this subsection are satisfied and shall provide the Department a flood proofing certificate including flood proofing level immediately after flood proofing is completed. The certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The requirements of Sections 1.3 and 1.4 shall apply.

c. Accessory and Non-Habitable Buildings and Structures.
Accessory and non-habitable structures (i.e., barns, sheds, gazebos, and other similar structures) which are permitted to be located within the limits of the floodplain under the provisions of the Zoning Resolution shall be designed and constructed of flood resistant materials to pass all floodwater and be anchored to prevent flotation, collapse, or lateral movement of the structure in a manner consistent with this ordinance.

d. Drainage Structures and Impoundments.
Drainage structures and impoundments may be authorized provided they are designed and constructed pursuant to the requirements of the Development Regulations of the City of Peachtree Corners, are approved by the Department, and are consistent with the requirements of this ordinance.

Detention facilities may be located within the future conditions floodplain if the future conditions flood storage capacity is not reduced by the dam and water impounded behind the dam as required in section 1.4.3.a.

1.5.2 Structures and Buildings Authorized Adjacent to the Future Conditions Floodplain.

a. Residential Buildings.
For new construction or substantial improvement of any principal residential building or manufactured home, the elevation of the lowest floor, including basement and access to the building, shall be at least three 3 feet above the level of the highest base flood (100 year) elevation adjacent to the building or at least one (1) foot above the future conditions flood elevation whichever is highest.

b. Non-Residential Buildings.
For new construction or substantial improvement of any principal non-residential building, the elevation of the lowest floor, including basement and access to the building, shall be at least one (1) foot above the level of the highest base flood (100 year) elevation adjacent to the building or at least as high as the future conditions flood elevation whichever is highest.

1.5.3. Building Permit Requirements.
Prior to the issuance of a Building Permit for site which contains or is adjacent to the floodplain, a drawing which shows the elevation of the proposed lowest floor of the building, including basement, the limits of the floodplain, and the highest future conditions flood elevation and base flood (100 year) elevation adjacent to the building, must be submitted to the Department for approval. If the proposed development is located in multiple flood zones or multiple base flood elevation cross the proposed building site, the higher or more restrictive base flood elevation or future condition elevation and development standards shall take precedence at the building site. Proposed grading encroachments must be shown on this drawing. Elevations shall be referenced to an accurate topographical reference (e.g. a recorded Final Plat whereon the future conditions and the base floodplain is shown).

1.5.4. Construction Stage.

a. Upon completion of construction of the lowest floor of any building permitted under 1.5.2 or substantial improvement permitted under 1.5.1 above, the permit holder shall submit to the Department a certification of the as-built lowest floor elevation. A final elevation certificate shall be provided after completion of construction including grading of the site. For buildings adjacent to the floodplain, this

requirement shall not apply, however, if the separation between the lowest floor elevation and the future conditions flood elevation shown on the drawing submitted as part of the permit application is greater than ten feet. Said certification shall be prepared by a land surveyor currently registered in the State of Georgia.

b. Any work undertaken prior to submission and approval of the certification shall be at the permit holder's risk. No framing inspection shall be completed or approved by the Department until such required certification is received and verified by the Department. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being allowed to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall cause to issue a stop work order for the project.

1.5.5. Provisions for Flood Hazard Reduction.
All new construction or substantial improvement of existing structures within or adjacent to Special Flood Hazard Areas shall comply with the following:

a. Shall be constructed with materials and utility equipment resistant to flood damage;

b. Shall be constructed by methods and practices that minimize flood damage;

c. Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be constructed or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

d. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

e. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;

f. New construction and substantial improvements of existing structures shall be anchored to prevent flotation, collapse or lateral movement or the structure;

g. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;

h. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of

anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable State requirements for resisting wind forces; and,

i. Any alteration, repair, reconstruction or improvement to a structure which is not compliant with the provisions of this ordinance, shall be undertaken only if the non-conformity is not furthered, extended or replaced.

1.5.6. Elevated Buildings

All new construction or substantial improvements of existing structures that include ANY fully enclosed area located below the lowest floor formed by foundation and other exterior walls shall be designed so as to be an unfinished or flood resistant enclosure. The enclosure shall be designed to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of flood water.

a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

(1) Provided a minimum of two openings having a total net are of not less than one square inch for every square foot of enclosed area subject to flooding;

(2) The bottom of all openings shall be no higher than one foot above grade; and,

(3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both directions.

b. So as not to violate the "Lowest Floor" Criteria of this ordinance, the unfinished or flood resistant enclosure shall only be used for parking of vehicles, limited storage of maintenance equipment used in connection with the premises, or entry to the elevated area; and,

c. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

1.5.7. Building Standards for Residential Single-Lot Developments on Streams Without Established Base Flood Elevations and/or Floodway (A-Zones)

For a residential single-lot development not part of a subdivision that has Areas of Special Flood Hazard, where streams exist but no base flood data have been provided (A-Zones), the Director shall review and reasonably utilize any available scientific or historic flood elevation data, base flood elevation and floodway data, or future-conditions

flood elevation data available from a Federal, State, local or other source, in order to administer the provisions and standards of this ordinance.

If data are not available from any of these sources, the following provisions shall apply:

a. No encroachments, including structures or fill material, shall be located within an area equal to twice the width of the stream or fifty (50) feet from the top of the bank of the stream, whichever is greater; and,

b. In special flood hazard areas without base flood or future-conditions flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three (3) feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with Section 1.5.6.

1.5.8 Standards for Recreational Vehicles

All recreational vehicles placed on sites must either:

(a) Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or

(b) The recreational vehicle must meet all the requirements for Residential Buildings—Substantial Improvements (Section 5.2(1)(b)), including the anchoring and elevation requirements.

1.6. APPEAL AND VARIANCE PROCEDURES.

1.6.1. Appeals.

Appeals from the interpretation or requirements this ordinance shall be made in accordance with the procedures and requirements of this Section.

a. Requests for variances from the requirements of this ordinance shall be submitted to the Department. All such requests shall be heard and decided in accordance with the procedures outlined in the Stormwater Systems and Facilities Installation Standards and Specifications and as set forth by the Section 5-4-1 of the Official Code of Georgia Annotated. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.

b. Any person adversely affected by any decision of a request for variance shall have the right to appeal the decision to the Board of Construction Adjustments and Appeals in their normal course of business. At a minimum, such procedures shall include notice to all affected parties and the opportunity to be heard.

1.6.2. Evaluation of Variance Requests.

a. In passing upon variance applications for relief from the provisions of this ordinance, all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and the items listed in the Stormwater Systems and Facilities Installation Standards and Specifications shall be considered;

b. Upon consideration of the factors listed in the Stormwater Systems and Facilities Installation Standards and Specifications, and the stated purposes of this ordinance, such conditions to the granting of a variance as it deems necessary or appropriate, consistent with the purposes of this ordinance may be attached to the variance;

c. Variances shall not be approved within any designated floodway if any increase in flood levels outside the boundaries of ownership of the property being developed or drainage easement during the future conditions or the base flood discharge would result.

d. Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria of this Section are met, no reasonable alternative exists, and the development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.

e. Any person requesting a variance shall, from the time of the request until the time the request is acted upon, submit such information and documentation as deemed necessary to the consideration of the request.

f. Variances shall not be issued "after the fact."

1.6.3. Historic Structures.
Variances from the requirements of this ordinance may be approved for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, and provided the proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historical designation, and provided further that the requirements of Section 1.6.5 herein are met.

1.6.4. Conditions for Variance Approval.

a. Variances shall only be approved upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.

b. Variances shall only be issued upon a finding of the following:

(1) A showing of good and sufficient cause;
(2) A determination that failure to grant the variance would result in exceptional hardship; and,
(3) A determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

c. No variance from the provisions of this ordinance may be approved which would allow a structure or use of land otherwise prohibited in the flood hazard area under the provisions of the Zoning Resolution.

d. Any person to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation of the proposed lowest floor and stating that the cost of flood insurance will be commensurate with the increased risk to life and property resulting from the reduced lowest floor elevation.

1.6.5. Records and Reports.
The Department shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

1.7. EFFECTIVE DATE.

1.7.1. This ordinance shall be in full force and effect immediately upon the adoption by the City Council of Peachtree Corners, Georgia, and shall apply to any Development Permit for which an application is received after the effective date of this ordinance.

1.7.2. Any subdivision or other project for which a Development Permit has been issued prior to the effective date of this ordinance may, at the developer's option, proceed to completion under the terms of said permit and the regulations of the City of Peachtree Corners in place prior to said effective date.

1.7.3. Any subdivision or other project for which only a Clearing, Clearing and Grubbing, or Grading Permit shall have been issued prior to effective date of this ordinance shall be brought into conformance with this ordinance prior to issuance of a Development Permit.

1.7.4. Nothing in this ordinance shall be construed to affect the validity of any building permit lawfully issued prior to the effective date of this ordinance.

1.8. AMENDMENTS.

1.8.1. This ordinance may be amended from time-to-time by resolution of the City Council of the City of Peachtree Corners. Such amendments shall be effective as of their date of effective date unless otherwise stated in the adopting resolution.

1.8.2. Any subdivision or other project for which a Development Permit has been issued prior to the adoption of an amendment to this ordinance may, at the developer's option, proceed to completion as though no amendment had been approved.

1.8.3. Any subdivision or other project for which only a Clearing, Clearing and Grubbing, or Grading Permit shall have been issued prior to adoption of an amendment to this ordinance shall be brought into conformance with the amendment (if applicable) prior to issuance of a Development Permit.

1.8.4. No amendment to this ordinance shall be construed to affect the validity of any building permit lawfully issued prior to the adoption of said amendment.

1.9. SEVERABILITY.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or void, the validity of the remaining portions of this ordinance shall not be affected thereby, it being the intent of the City Council of Peachtree Corners in adopting this ordinance that no portion thereof or provision of the ordinance contained herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase, or provisions of this ordinance.

1.10. CONFLICTING REGULATIONS.

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

1.11. Violations, Enforcement and Penalties.

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

1.11.1. Enforcement Procedures.

The following are the enforcement procedures authorized by this ordinance:

a. Notices of Violation.

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

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

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

b. Stop Work Orders.

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

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

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

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

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

1.11.2. Legal Penalties and/or Remedies.

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

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

CITY OF PEACHTREE CORNERS

BUFFER, LANDSCAPE AND TREE ORDINANCE

ADOPTION DATE:
EFFECTIVE DATE:
ORDINANCE NO.:

(Adapted from Gwinnett County Buffer, Landscape and Tree Ordinance originally adopted by Gwinnett County June 23, 1987, last amended April 20, 2010)

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ARTICLE 1
INTENT, PURPOSE AND TITLE

1.1. INTENT

1.1.1. This ordinance shall apply to all properties or portions thereof located within the City of Peachtree Corners, Georgia, to the extent of the provisions contained herein. The Mayor and Council hereby finds that the protection and preservation of trees, the planting of new trees and other landscape material, and the provision of buffers between dissimilar uses as part of the land development process is a public purpose and provides for the public health and general welfare.

1.2. PURPOSE

1.2.1. The purpose of this ordinance is to preserve and enhance the natural environment. This is accomplished through the preservation, protection and planting of trees and other landscape material, particularly those trees recognized herein as canopy and understory trees, and the provision of natural and/or planted buffers between dissimilar uses as part of the land development process. The ordinance is intended to further the City's policy that all development sites where trees are most commonly removed will achieve upon project completion a uniform standard related to tree coverage, landscaping and buffers. In addition, trees are recognized for their importance in shading and cooling, noise and wind reduction, prevention of soil erosion, production of oxygen, dust filtration, fostering air quality through carbon dioxide absorption, providing wildlife habitat, and contributing to the aesthetic and economic value of real property.

1.2.2. This ordinance is also intended to further the City's policy of encouraging all individuals or firms who propose to develop land, and which are required to meet the requirements of this ordinance, to consider the use of water-efficient landscaping principles and techniques (xeriscaping).

1.3. TITLE

1.3.1. This ordinance shall be known as "The Buffer, Landscape, and Tree Ordinance of the City of Peachtree Corners, Georgia" and may be referred to generally as "The Buffer Ordinance," or

"The Landscape Ordinance," or "The Tree Ordinance," or, as used herein, "this Ordinance."

ARTICLE 2
DEFINITIONS

2.1. DEFINITIONS OF WORDS AND PHRASES

2.1.1. In construing the provisions hereof and the meaning of each and every word, term, phrase, or part thereof, where the context will permit, the definitions of words as contained in the Zoning Resolution, supplemented by the following, shall apply:

Authorized registered professional shall mean:
(1) a landscape architect who is licensed in the State of Georgia in accordance with O.C.G.A. §§ 43-23-1(2),(3); or,
(2) a land surveyor who possesses a current certificate of registration issued by the State of Georgia in accordance with O.C.G.A. §§ 43-15-2(6),(7) and 43-15-13; or,
(3) a professional engineer who possesses a current certificate of registration issued by in the State of Georgia in accordance with O.C.G.A. §§ 43-15-2(10),(11) and 43-15-9;
An authorized registered professional shall know and understand the limits of their professional expertise, certification, license or registration and shall not perform work which is outside of the scope of said professional expertise, certification, license or registration. An authorized registered professional shall be liable for complying with all state laws and rules and licensing board requirements that apply to their particular profession, including ethical standards, and shall be liable for failure to meet the applicable standards of professional care. All documents and drawings submitted to the City of Peachtree Corners by an authorized registered professional shall bear that person's certification, license, registration or seal, as appropriate. The certification, license, registration or seal of an authorized registered professional on documents and drawings submitted to the City of Peachtree Corners shall certify that the documents and drawings comply with all applicable City of Peachtree Corners ordinances, rules and regulations and shall certify that the documents and drawings are based on personal knowledge of the conditions depicted thereon and that the accuracy and completeness of the documents and drawings have been verified by field inspection of the facilities depicted thereon.

Buffer: Land area used to visibly separate one use from another through screening and distance, to shield or block noise, light, glare, or visual or other conditions, to minimize physical passage to non-similar areas, or to reduce air pollution, dust, dirt, and litter.

Natural, Undisturbed Buffer*: Land area in which there is no disturbance and no grading allowed, except for approved perpendicular access and utility crossings.

Enhanced Buffer*: Land Area in which there is no disturbance with the exception for disturbance related to additional required plantings, specific to the zoning case and for approved perpendicular access and utility crossings.

Landscaped Buffer*: Land Area in which grading is allowed and revegetation to a buffer standard is required specific to zoning case. Replanted per approved landscape plan.

* Per Buffer, Landscape, and Tree Ordinance 3.2.3, "Buffers in which vegetation is non-existent or is inadequate to meet the screening requirements of the Buffer, Landscape, and Tree Ordinance shall be planted with supplemental plantings so as to provide an effective visual screen".

Construction Buffer: Land Area in which there is no disturbance until a Certificate of Occupancy has been issued on the building lot at which time the Construction Buffer is removed.

Stream Buffer: "The area of land immediately adjacent to the banks of state waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat." The definition of stream buffer is governed by Georgia Law (O.C.G.A.)12-17-3 (2).

Canopy Tree: A tree that, under normal forest conditions, will compose the top layer or canopy of vegetation and generally will reach a mature height of greater than 40 feet.

City: City of Peachtree Corners, Georgia.

Clearing: The removal of vegetation from a property, whether by cutting or other means.

Construction Buffer: A type of buffer which is temporary and remains in effect during the construction of a project.

Critical Root Zone: The minimum area beneath a tree that must be left undisturbed is Critical Root Zone (CRZ). The CRZ is a concentric circle centering on the specimen tree's trunk with a radius equal in feet to 1.5 times the number of inches of the trunk's diameter at breast height (4.5'). Example: the CRZ radius of a twenty inch (20") diameter tree is 30 feet.

Department: The City of Peachtree Corners Department of Planning and Development, as established by the City of Peachtree Corners Mayor and Council, and as operated through the actions and administration of the appointed director of said department or his/her designee.

Development Regulations: The adopted regulations providing for the subdivision and development of real property within the City of Peachtree Corners, Georgia, as amended from time-to-time by the Mayor and Council of the City of Peachtree Corners.

Diameter, Tree: The diameter of a tree measured as follows: 1) for existing preserved trees, at a point 4.5 feet above the ground; 2) for new replaced trees, at a point 6 inches above the ground.

Director: The director of the Department of Planning and Development or his/her designee.

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.

Floodplain, 100-Year: Those lands subject to flooding, which have at least a one percent probability of flooding occurrence in any calendar year; and specifically, the floodplain as shown on the Flood

Boundary and Floodway Map as prepared by the Federal Emergency Management Agency (FEMA).

Green Space: Refer to the definition contained in the Zoning Resolution.

Grading: The placement, removal, or movement of earth by use of mechanical equipment on a property.

Hardwood Tree: Any tree that is not coniferous (cone bearing) or needle bearing.

Land Disturbing Permit (LDP): Any permit other than a Building Permit issued by the City of Peachtree Corners that authorizes clearing or grading activities on a site or portion of a site. This permit may be a Clearing, Clearing and Grubbing, Grading, or Development Permit as defined and authorized by the Development Regulations of City of Peachtree Corners.

Landscape Strip: Land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.

Modification: A type of administrative appeal that may be granted by the director only where specifically authorized in this ordinance.

Monetary Compensation Monies: A dollar amount for a tree or trees that is stored in the tree bank.

Monetary Compensation Value: A unit of measurement, that when multiplied by the tree density unit allows a given dollar amount for a tree or trees to be stored in the tree bank.

Open Space: Refer to the definition contained in the Zoning Resolution.

Screening: A method of shielding or obscuring one abutting or nearby structure or use from another by opaque fencing, walls, berms, densely planted vegetation, or the like.

Shrub: A woody plant of relatively low height, as distinguished from a tree by having several stems rather than a single trunk.

Softwood Tree: Any coniferous (cone bearing) tree.

Specimen Tree: Any tree that meets one or more of the identification criteria listed in Section 5.6. It is based on the tree's size, type, condition, location or historical significance. See Section 5.6 for specific criteria defining specimen trees.

Timber Harvesting: The felling, loading and transporting of timber products (pulpwood, etc.). The term "timber harvesting" may include both clear cutting and selective cutting of timber.

Tree Bank: (Option One) Trees are planted by the developer at an alternate site or (Option Two) a place of storage of monetary compensation for trees.

Tree Banking: (Option One) The process whereby the developer plants and installs trees on an alternative site chosen by the developer with prior approval from the Director. (Option Two) the process of storing monetary compensation for trees with prior approval from the Director. Option One will result in the planting of trees at the following sites including but not limited to fire stations, libraries, schools (excluding City of Peachtree Corners Parks and Recreation properties), and revitalization projects in Community Improvement Districts within the same district in which the development is located or within five (5) miles of such district. Option Two will result in the planting of trees at parks, greenways, fire stations, and libraries within the same district in which the development is located or within five (5) miles of such district.

Tree Canopy Calculation: A number given in square feet to a tree or group of trees that reflect the overall canopy at maturity of that tree or trees. See Appendix "A" Tree Species Lists for the square feet and Section 5.3.3 for calculation requirement.

Tree Density Unit (TDU): A credit assigned to a tree, based on the diameter of the tree, in accordance with tables contained in this ordinance.

Tree Density Standard (TDS): The minimum number of Tree Density Units per acre which must be achieved on a property.

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 3 inches at any point and a height of over 10 feet.

Tree Protection Area (TPA): Any portion of a site wherein are located existing trees which are proposed to be preserved in order to comply with the requirements of this ordinance. The Tree Protection Area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree or group of trees collectively.

Tree Preservation and/or Replacement Plan (TP/RP): A plan that identifies Tree Protection Areas where existing trees are to be preserved and where proposed replacement trees are to be planted on a property to meet minimum requirements, as well as methods of tree protection to be undertaken on the site and other pertinent information.

Tree Thinning: Selective cutting or thinning of trees only for the clear purpose of good forestry management in order to protect said forest from disease or infestation and in no way shall be construed as clearcutting.

Understory Tree: A tree that, under normal forest conditions, grows to maturity beneath overstory trees and will generally reach a mature height of at least 10 feet but less than 40 feet.

Xeriscaping: A method of landscaping utilizing materials which are water-efficient (refer to Article 6 of this ordinance for principles and techniques).

Zoning Buffer: A buffer required by the Zoning Resolution or as a condition of zoning, special use or variance approval for a specific property.

Zoning Resolution: The Zoning Resolution of the City of Peachtree Corners, Georgia, as amended from time-to-time by the Mayor and Council of the City of Peachtree Corners.

ARTICLE 3
BUFFER REGULATIONS

3.1. APPLICABILITY

3.1.1. Buffers shall be required between dissimilar districts or uses in accordance with the provisions of the Zoning Resolution or as a condition of zoning, special use or variance approval.

3.2. STANDARDS FOR PERMANENT BUFFERS

3.2.1. Width of Buffers.

Buffers shall meet the minimum width requirements contained in the Zoning Resolution, except as authorized to be reduced by the applicable buffer reduction process, as follows:

a. As specified in the "Minimum Buffer Strip Requirement Table"; or,

b. As specified in a residential zoning district for a permitted non-residential use (e.g. a church, temple, synagogue, etc.); or,

c. As required by a condition of zoning, special use, or variance approval.

3.2.2. Screening Requirements.

a. Buffers shall be natural, undisturbed, and free of encroachments except as authorized by a condition of zoning, special use or variance approval, or as authorized herein, and shall contain the existing tree cover and vegetation as well as any supplemental plantings or replantings as may be required.

b. Buffers shall be of such nature and density so as to screen activities, structures and uses on the property from view from the normal level of a first story window on an abutting lot and shall further provide a year-round effective visual screen.

c. Buffers required along side property lines shall extend to a street right-of-way line unless otherwise required by the director in order to

observe the sight distance requirements contained in the Development Regulations, or as authorized by a condition of zoning, special use, or variance approval.

d. In situations where the required buffer width is partially or completely contained within an existing easement (e.g. power or natural gas transmission, etc.), the screening requirements of this Ordinance shall be met outside of the easement area.

3.2.3. Supplemental Plantings.

a. Buffers in which vegetation is non-existent or is inadequate to meet the screening requirements of this Ordinance shall be planted with supplemental plantings so as to provide a year-round effective visual screen.

b. Supplemental plantings and replantings shall consist of a combination of evergreen and deciduous trees adaptable to the region. Deciduous trees shall be 2 inches in diameter and evergreen trees shall be at least 6 feet in height. Evergreen trees planted shall be a minimum of 6 feet in height at time of planting and shall be a species which will achieve a height of at least 20 feet at maturity. The tree types shall be from Appendix "A" Tree Species List. All shrubs planted shall be a large growing species, shall be a minimum of 3 feet in height at time of planting and shall be a species which will achieve a height of at least 10 feet at maturity.

c. All supplemental plantings shall be installed to allow for proper plant growth and maintenance.

d. All supplemental plantings in buffers shall be limited to 33% of one genus of tree. Calculations are required on Tree Preservation/ Tree Replacement Plan.

e. Leyland Cypress, Cuppressus leylandii may be used in supplemental replanting in buffers and shall not exceed 33% of total buffer trees. Leyland Cypress is not allowed to fulfill regulatory density requirements. Leyland Cypress can be used for

screening purposes.

3.2.4. Non-Vegetative Screening.

a. Non-vegetative materials utilized to satisfy the screening requirements of this Ordinance, in addition to the use of existing vegetation and/or supplemental plantings, may consist of walls, fences, earthen berms or any combination thereof.

b. If walls or fences are to be utilized, their placement and installation shall be such so as to cause minimal disturbance of existing vegetation and located so as to provide an effective visual screen.

3.2.5. Disturbance or Encroachments.

a. Ditches, swales, storm water conveyance facilities, storm water detention ponds, sanitary sewer conveyance facilities, similar facilities, and any associated easements, shall not encroach into a buffer except that necessary access and utility crossings (e.g. storm water or sanitary sewer pipes) may encroach into the buffer as near to perpendicular as practical.

b. Supplemental plantings or replantings of vegetation, or authorized non-vegetative screening devices shall be authorized to encroach into a buffer provided there is minimal disturbance of any significant existing vegetation.

c. Land disturbance is authorized in areas of a buffer that are devoid of significant vegetation provided that the final grade and replantings of vegetation meet the screening requirements contained herein.

d. Dying, diseased or dead vegetation may be removed from a buffer provided minimal disturbance occurs. Vegetation thus removed shall be replaced where necessary to meet the screening requirements contained herein.

3.2.6. Protection During Land Disturbing Activities.

a. During authorized land disturbing activities, buffers shall be clearly demarcated and protected

prior to commencement of, and during, construction.

b. The method of demarcation and protection utilized shall be in accordance with best management practices or as required by the department.

3.3. STANDARDS FOR CONSTRUCTION BUFFERS

3.3.1 Where Required.

Construction buffers shall only be required where specifically provided as a condition of zoning, special use or variance approval.

3.3.2 Time Constraints.

Construction buffers shall only be in effect during the construction period of a project and shall terminate upon project completion. In the case of a residential subdivision, a construction buffer shall terminate upon each individual lot with the issuance of a Certificate of Occupancy for the principal dwelling.

3.3.3. Disturbance or Encroachments.

a. Construction buffers shall be natural, undisturbed and free of encroachments except as authorized by a condition of zoning, special use or variance approval, or as authorized herein.

b. The encroachment of ditches, swales, storm water conveyance facilities, storm water detention ponds, sediment basins, sanitary sewer conveyance facilities, similar facilities, and any associated easements, into a construction buffer shall not be authorized except that necessary access and utility crossings (e.g. storm water or sanitary sewer pipes), and natural bottom detention ponds (sediment basins must be located outside of the construction buffer) and their appurtenant structures which require no grading and removal of trees, may encroach upon the construction buffer.

c. If the construction buffer on a residential lot is devoid of existing trees and vegetation, and a tree survey is submitted to document this situation prior to conducting land disturbing activities (including clearing) on the lot, then the

department may authorize the encroachment of a building or structure into the construction buffer for a distance not to exceed 10 feet.

3.3.4. Protection During Land Disturbing Activities.

a. During authorized land disturbing activities, construction buffers shall be clearly demarcated and protected prior to commencement of, and during, construction.

b. The method of demarcation and protection utilized shall be in accordance with best management practices or as required by the department.

3.4. REQUIRED BUFFERS (STREET FRONTAGE BUFFER)

a. Street Frontage Buffer is required for new single family residential subdivision developments zoned R-100 Modified, and R-60:

Fifty feet (50’) in width. The street frontage buffer shall remain undisturbed and natural, except for entrance features, necessary street construction activities, right of way crossings, and corner right of way miters or radii. If the required street frontage buffer is void of vegetation, it shall be replanted to provide an effective visual screen, which may include landscape berms and decorative fences. The landscape plan shall be submitted, reviewed and approved by Staff Landscape Architect or designee prior to issuance of a development permit. Trees in the Street Frontage Buffer can be counted toward meeting tree density units. No Access easements, as described in Section 4.4, shall be included within the Street Frontage Buffer and shall be landscaped as part of and in accordance with the Street Frontage Buffer requirements.

b. The Director is hereby authorized to grant a modification for compliance with this section.

ARTICLE 4
LANDSCAPE REGULATIONS

4.1. APPLICABILITY

4.1.1. Nonresidential and Multi-Family Uses.

Nonresidential and multi-family uses shall provide for and maintain landscape plantings on-site as follows:

a. In a Landscape Strip at least 10 feet in width adjacent to any street right-of-way abutting the property and running the length of the entire property frontage; and,

b. In areas adjacent or internal to off-street parking lots that are required by the Zoning Resolution to contain more than 5 off-street parking spaces; and,

c. As required by a condition of zoning, special use or variance approval.

d. The director is hereby authorized to grant a modification of up to 50% of the 10 foot landscape strip width provided the strip is not required by a condition of zoning, special use, modification, variance or waiver approval.

4.1.2. Residential Subdivisions.

Residential subdivisions shall provide for and maintain landscape plantings on-site as set forth in Section 4.4. in the following circumstances:

a. In no-access easements that are required by the Development Regulations along the line of double frontage lots abutting upon a major thoroughfare; and,

b. As required by a condition of zoning, special use; modification, variance or waiver approval.

4.2. LANDSCAPE STRIP PLANTING REQUIREMENTS

4.2.1. Ten (10) Foot Wide Landscape Strips.
Landscape Strips which are required to be 10 feet in width shall contain landscaping and plantings within or adjacent to the strip as follows:

a. One (1) tree for each 25 linear feet of strip length shall be provided. Deciduous trees shall be at least 2 inches in diameter and evergreen trees shall be 6 feet in height at time of planting. Trees shall be a species native or suitable to this region.

b. One (1) shrub for each 25 linear feet of strip length shall be provided. Each shrub shall be a species native or suitable to this region.

c. Trees and shrubs required herein may be planted and spaced singly or in groups as authorized by the Director so long as the total number of plantings is achieved.

d. The remaining ground area shall be sodded, seeded or hydroseeded with grass, and/or planted with groundcover species and/or provided with other landscaping material, or any combination thereof.

4.2.2. Five (5) Foot Wide Landscape Strips.

Landscape Strips which are required to be 5 feet in width shall contain landscaping and plantings within or adjacent to the strip as follows:

a. One (1) tree for each 50 linear feet of strip length shall be provided. Deciduous trees shall be at least 2 inches in diameter and evergreen trees shall be at least 6 feet in height at time of planting. Trees shall be a species native or suitable to this region.

b. One (1) shrub for each 50 linear feet of strip length shall be provided. Each shrub shall be a species native or suitable to this region.

c. Trees and shrubs required herein may be planted and spaced singly or in groups as authorized by the Director so long as the total number of required plantings is achieved.

d. The remaining ground area shall be sodded, seeded or hydroseeded with grass, and/or planted with groundcover species and/or provided with other landscaping material, or any combination thereof.

4.2.3. Landscape Strips Wider than 10 Feet.

Tree and shrub quantities in landscape strips that are required to be wider than 10 feet by a condition of zoning, special use, variance or waiver approval shall be proportional to their width (e.g. a 20 foot wide landscape strip would require two (2) trees and two (2) shrubs for each 25 linear feet of strip length).

4.2.4. Encroachments Into Landscape Strips.

Required Landscaped Strips shall not be encroached upon by parking spaces, driveway surfaces or storm water detention facilities except that driveway crossings may traverse such strip as near to a perpendicular alignment as practical. Signs may also be located in such strip.

4.3. OFF-STREET SURFACE PARKING LOT PLANTING REQUIREMENTS

4.3.1 Quantity, Spacing and Planting Standards.

Off-street surface parking lots which are required to contain more than 5 parking spaces shall contain landscaping and plantings as follows:

a. Trees shall be provided and maintained adjacent to, and in the interior portions of, parking lots in a ratio of one (1) tree for each seven (7) parking spaces. In addition, every parking space shall be within 60 feet of the trunk of a tree.

b. Deciduous trees shall be at 2 inches in diameter and evergreen trees shall be at least 6 feet in height. Canopy trees listed in Appendix "A" A.2 Parking Lot & Street Tree Species List, shall be selected, planted, and maintained. Any plantings beyond the minimum requirements may come from any of the Appendix "A" Tree Species Lists.

c. The minimum planting area or island for each canopy tree shall be at least 200 square feet. If shared with other trees, 80 square feet for each additional tree shall be added.

d. The minimum planting area or island for each understory tree shall be 100 square feet. If shared with other trees, 40 square feet for each

additional tree shall be added.

e. Each planting area or island shall not be less than 4 feet in width in any direction.

f. Ground areas shall be sodded, seeded or hydroseeded with grass and/or planted with groundcover species, and/or provided with other landscaping material, or any combination thereof.

g. Paved or striped islands greater than 50 square feet shall not be allowed. These areas shall contain landscape plantings.

h. Topping trees is not allowed. Trees removed or having had their tops cut after compliance with this Ordinance shall be replaced with the equivalent inches of removed trees.

   1. Trees removed due to disease or insect infestation upon the written advice and findings of the County Extension Service or the Georgia Forestry Commission shall be replaced in accordance with the minimum standards contained in the ordinance.

   2. Appropriate pruning and healthy tree management shall be according to the standards as followed by the International Society of Arboriculture.

i. Director is hereby authorized to grant a Modification of tree species in cases of power easements.

j. No more than thirty-three percent (33%) of all proposed trees to be planted may be of any one genus.

4.4. NO-ACCESS EASEMENT SCREENING REQUIREMENTS

4.4.1 No-access easements which are required by the Development Regulations, or as a condition of zoning, special use or variance approval, shall be screened as follows:

a. Planted with a single line of evergreen trees at least 6 feet in height and spaced no greater than

10 feet apart; or,

b. Contain a solid or decorative fence at least 4 feet in height; or,

c. Contain such other landscaping treatments or grade changes that will produce a partial screening effect as authorized by the director.

ARTICLE 5
TREE PRESERVATION AND REPLACEMENT REGULATIONS

5.1. APPLICABILITY AND EXEMPTIONS

5.1.1. This article shall apply to any activity on real property which requires the issuance of a Land Disturbing Permit except as excluded in this section. Table A: Summary of Applicability and Exemptions, at the end of this section, summarizes those activities which are exempt from the provisions of this ordinance and those for which a Tree Preservation and/or Replacement Plan must be approved prior to issuance of a Land Disturbing Permit.

5.1.2. Grandfathered Projects.

a. This article shall not apply to any portion of a property included within the limits of a valid Land Disturbing Permit issued prior to the effective date of this ordinance, provided that all time constraints relating to the permit issued shall be observed. In no event shall any grandfathered project be extended for a greater time period than 24 months from the date of enactment of this ordinance.

b. Projects which were included within the limits of a Land Disturbing Permit issued prior to June 23, 1987, which was the effective date of the Gwinnett County Tree Ordinance, shall be grandfathered from the requirements of this article to the extent of the time constraints imposed upon said permit by the Development Regulations.

c. The requirements of this article may be waived by the department for a Land Disturbing Permit which is to proceed with development of a larger project, at least 75% of the land area of which has already received a permit or permits initiating clearing or grading activities prior to June 23, 1987 which was the effective date of the Gwinnett County Tree Ordinance.

5.1.3. Horticultural or Agricultural Operations.

a. All plant or tree nurseries and botanical gardens shall be exempt from the terms and provisions of this ordinance in relation to those trees which are

being grown for relocation and continued growth in the ordinary course of business, or for some public purpose.

b. All orchards of trees in active commercial operation shall be exempt from the terms and provisions of this ordinance for bona fide agricultural purposes only.

c. Land clearing or clearing and grubbing activities for clearly agricultural purposes in the RA-200 zoning district shall be exempt from the provisions of this ordinance.

d. Timber harvesting (selective cutting or clear-cutting) for pulpwood or sawtimber shall be exempt within the RA-200 zoning district. In other zoning districts, such activities shall be authorized only in accordance with the issuance of a Land Disturbing Permit under the requirements of this ordinance.

5.1.4. Removal of Disease or Insect Infestation.

Upon the written advice of the County Extension Service or the Georgia Forestry Commission in accordance with commonly accepted forestry practices and a finding of disease or insect infestation, the director may authorize the removal of trees to prevent the transmission of disease or infestation, to prevent the danger of these trees falling, or to prevent potential injury to life and property. The owner/developer, prior to the removal of these trees, shall notify the director, identifying the location of the infested property, and shall submit to the director the written finding of the County Extension Service or Georgia Forestry Commission.

5.1.5. Tree Thinning.

Upon the written advice and findings of the County Extension Service or Georgia Forestry Commission, the thinning of trees (selective cutting only) in zoning districts other than RA-200, solely for the purpose of good forestry management, may be permitted upon authorization by the Director and shall require the submittal and approval of a Tree Preservation and/or

Replacement Plan. Permits authorizing tree thinning shall be limited to the following:

a. The property shall have been initiated for rezoning by the City of Peachtree Corners, rather than the property owner, from RA-200 to its present zoning classification.

b. The property shall not have been subdivided. The property shall have the same configuration since June 9, 1970 when the County comprehensive Zoning Tax Maps were adopted.

c. A 75 foot undisturbed buffer (not a zoning buffer) shall be provided and maintained along the entire perimeter of the property, including road frontages, during the land disturbing activity, except for authorized access crossings.

d. The property shall be required to meet a Tree Density Standard of 24 units per acre upon completion of authorized land disturbing activities.

e. The owner/developer shall utilize the recommended Best Management Practices (BMP's) as established by the Georgia Forestry Commission.

5.1.6. Zoning Buffer Exclusion.

Existing trees proposed to be retained preserved, and new trees proposed to be planted, in order to meet the buffer requirements of the Zoning Resolution or conditions of zoning, special use or variance approval shall not be considered in fulfilling the requirements of this ordinance.

5.1.7. Easement Exclusion.

Properties possessing natural gas, petroleum or electric power transmission easements, or major sanitary sewer main (greater than 8 inches in diameter) or water main (greater than 16 inches in diameter) distribution easements, may exclude the land area contained in the easement from the total acreage of the property in fulfilling the Tree Density Standard provided that no improvements (e.g. parking lots, tennis courts, driveways, storm water detention facilities, etc.) are proposed within the easement. If any improvements are

proposed within the easement, then the land area so utilized within the easement for the improvements, plus an additional 10-feet of land area surrounding the improvements, shall be used to fulfill the Tree Density Standard.

5.1.8. Lake and Pond Exclusion.

Properties with a lake or pond greater than one (1) acre in size may exclude the land area contained in the lake or pond from the total acreage of the property in fulfilling the Tree Density Standard.

TABLE A SUMMARY OF APPLICABILITY AND EXEMPTIONS		
PROJECT TYPE	TYPE OF CONSTRUCTION	APPLICABILITY
Grandfathered Projects	Any property included within the limits of a LDP approved prior to the effective date of this Ordinance, and remaining portion of a project where 75% of area has already been included in LDP's approved prior to June 23, 1987 which was the effective date of the County Tree Ordinance	Exempt (see 5.1.2.)
Horticultural or Agricultural Operations	Land clearing for clearly agricultural purposes, including timber harvesting, in RA-200 zoning district; Plant or Tree Nurseries; Orchards	Exempt (see 5.1.3.)
Diseased or Insect Infested Trees	Removal upon advice and written finding of County Extension Service or Georgia Forestry Commission	Exempt (see 5.1.4.)
Tree Thinning	Thinning of trees (selective cutting) in zoning districts other than RA-200 solely for the purpose of good forestry management, utilizing recommended BMP's of the Georgia Forestry Commission, upon the advice and written findings of the County Extension Service or Georgia Forestry Commission	TP/RP Required (see 5.1.5.)
Private or Public Utilities, and Public Greenways	Land clearing for utilities and greenways and construction of private or public utilities or greenways	Exempt (see 5.2.3.)
Residential Lots or Subdivisions	Clearing, Clearing & Grubbing, Grading, Development or Building Permit	Two trees per lot and street trees and TP/RP meeting 16 TDU's with TPAs protected by conservation easement *(see 5.2.4.)
Residential Recreation Areas, Multi-Family and Nonresidential Individual Sites	Clearing or clearing and grubbing only.	TP/RP required (see 5.2.2.)
	Grading or Development Permit	TP/RP required (see 5.2.2.)

TABLE A SUMMARY OF APPLICABILITY AND EXEMPTIONS		
PROJECT TYPE	TYPE OF CONSTRUCTION	APPLICABILITY
	Building Permit	Covered by TP/RP as approved by LDP (see 5.2.2.)

- **Limits of buffers and Tree Protection Areas shall be designated with protective tree fencing prior to, or concurrent with, commencement of activities, consistent with exemption allowances.**

** **Additional areas may be designated by the department to remain undisturbed based on Land Use Plan**

5.2. PERMITS

5.2.1. Land Disturbing Permit Required.

Land disturbing activities shall not commence until such activities have been authorized by issuance of an appropriate Land Disturbing Permit under the provisions of the Development Regulations. Once a Final Plat has been recorded, land disturbing activities on residential lots shall not occur until a Building Permit has been obtained.

5.2.2. Tree Preservation and/or Replacement Plan Required.

For projects not exempt from the provisions of this ordinance, and not included under subsection 5.2.3., below, a Tree Preservation and/or Replacement Plan shall be submitted along with the Tree Canopy Calculation, and the other documents required by the Development Regulations for the issuance of a Clearing, Clearing and Grubbing, Grading, or Development Permit.

a. Tree Preservation and/or Replacement Plans, including the Tree Canopy Calculation, and related documentation shall be reviewed by the department for conformance to the provisions of this ordinance along with and at the same time as all other plans required for a requested Land Disturbing Permit under the provisions of the Development Regulations.

b. Clearing, grading and development activities shall conform in all respects with the approved Tree Preservation and/or Replacement Plan. Any revisions to the proposed development of a property, and any changes reflected in a subsequently submitted permit application, shall be shown on a revised Tree Preservation and/or Replacement Plan and be approved as part of the new or revised permit prior to the commencement of such changed activities.

5.2.3. Limited Land Disturbing Projects.
Projects which propose only limited development activities may be issued a Land Disturbing Permit

without a Tree Preservation and/or Replacement Plan under the following circumstances:

a. Private or public utility easements and public greenways on public access easements and private or public utility easements shall not be required to submit a Tree Preservation and/or Replacement Plan if the proposed land disturbing activities are strictly limited to those directly related to the placement of required soil erosion and sedimentation controls, the installation of public or private utilities, the installation of public greenways on public access easements and private or public easements, or other required improvements expressly required by the City or by a condition of zoning, special use, modification, waiver or variance approval.

b. Residential recreation areas, individual multi-family residential and attached townhomes (not on individual lots), and nonresidential projects (not involving the subdivision of the property) may not be allowed to undertake activities limited to clearing, or clearing and grubbing only, without approval of a Tree Preservation and/or Replacement Plan. Additional areas may be designated by the department to remain undisturbed as may be reasonably required with consideration given to the proposed use of the property, as well as adjacent properties, in accordance with the City's Land Use Plan. The limits of clearing or clearing and grubbing shall be established no closer to the boundaries of all said undisturbed areas than the driplines of the trees that are located within said areas.

For any property for which a Tree Preservation and/or Replacement Plan was not required prior to issuance of a Land Disturbing Permit under the provisions of this section, all areas required to be undisturbed shall be provided with protective tree fencing along the limits of clearing or grading which adjoin existing trees in accordance with the provisions found in Subsection 5.4.1. These measures shall be in place prior to beginning clearing or grading activities and shall be Maintained throughout the land disturbing period.

5.2.4 Residential Lots and Subdivisions.

Owners and/or developers of single family detached residential lots and subdivisions shall comply with this article by planting street trees in all residential subdivisions and 2 trees/ lot, as a part of providing 16 TDU's/ Acre. Existing trees shall be counted toward the TDU's.

a. Individual Lot Trees.

A minimum of two (2) trees, at least 2 inches in diameter, shall be planted or preserved on each individual lot prior to the issuance of a Certificate of Occupancy. Roots within the drip line area of preserved trees shall remain undisturbed or the tree cannot be counted as a required tree. Planted trees shall be a species listed on Appendix "A" Canopy or Understory Tree Species Lists of this ordinance. The location of two trees per lot is not limited to the front yard. Trees can be planted in any location on the lot except in utility and drainage easements and septic drain fields.

b. Street Trees.

Underground utilities are required when planting street trees. Street tree requirements are as follows:

1. Street trees shall be at least 3 inches in diameter. The quantity of trees shall be at least one (1) tree per each 50 linear feet of street (both sides of the street). Trees shall be planted in the street right-of-way. Trees shall be located at least 3 feet from the back of curb unless a modification is granted by the director. Street trees listed in Appendix "A" A.2 Parking Lot & Street Tree Species List, shall be selected, planted and maintained. Maximum allowable genus of street trees to be 33% of entire subdivision or one genus per street. Street trees count towards meeting the 16 TDU/ Acre.

2. Developers shall enter into a performance surety agreement with the department guaranteeing tree planting within 2 years of the date of recording of the Final Plat. The director is authorized to grant a modification from the time limit. The performance surety shall be provided at the time of recording the Final Plat. In addition, a Street Tree Planting Plan shall be submitted to and approved by the department prior to planting by the developer. Street tree planting shall be delayed from June through August.

3. Street trees shall be maintained and cared for by the property owner adjacent to the tree except in subdivisions in which the property owners association provides maintenance and care. Maintenance shall include replacement and trimming as necessary. A maintenance responsibility statement shall be provided on the Final Plat. A Modification may be granted by the Director for genus and species substitution for Street Trees.

c. 16 TDU/ Acre and Tree Protection Areas.
Prior to the issuance of a Development Permit, a Tree Preservation Plan shall be prepared and approved for residential subdivisions indicating compliance with the Tree Density Standard of 16 Tree Density Units per acre. Preserved trees shall be grouped together in Tree Protection Areas (including driplines or critical root zones whichever is greater) consisting of at least three (3) trees. Preserved individual 12 inch or greater diameter trees may also receive credit provided they are protected by a Tree Protection Area (including dripline or critical root zone whichever is greater). Planted and preserved trees count towards Tree Density Units per Acre.

5.3. TREE DENSITY REQUIREMENTS

5.3.1 Tree Density Standard.

On each property for which a Tree Preservation and/or Replacement Plan is required, existing trees shall be retained and new trees shall be planted such that the property shall attain or exceed a Tree Density Standard of 16 Tree Density Units per acre, exclusive of any acreage within a zoning buffer and any trees required to be preserved or planted within a zoning buffer and except any other land area allowed to be excluded by this article. Trees, both existing and new, shall be reasonably distributed throughout the site, with emphasis on tree groupings to achieve aesthetic results following professional landscaping standards. Trees, including street trees, may be retained or planted for credit within a public street right-of-way if granted authorization by the Department of Transportation.

5.3.2. Tree Density Standard Calculation.

The Tree Density Standard shall be calculated by summing the following credits and dividing by the total acreage of the project included within the limits of the permit application (but excluding any acreage included within a zoning buffer and other land area allowed to be excluded by this article).

a. Credit for existing trees proposed to be preserved on the site shall be calculated by multiplying the number of trees (by diameter) times the units assigned in TABLE B, CREDIT FOR EXISTING TREES. Credit shall be given all trees preserved on a property having a diameter of 3" or more, except trees located in a required zoning buffer.

b. Credit for new trees proposed to be replaced on the site shall be calculated by multiplying the number of trees (by diameter) times the units assigned in TABLE D, CREDIT FOR REPLACEMENT TREES. Credit shall be given for all new trees replaced on a property except for trees 1 inch or less in diameter and new trees planted in a required zoning buffer. Deciduous trees shall be a minimum 2” in diameter and evergreen trees shall be a minimum of 6 feet in height. Multi-trunked trees shall only be given credit by measuring the single largest trunk and not the cumulative total of the various trunks. Tree-

form shrubs shall not be given credit for satisfying the required Tree Density Standard.

c. Credit for specimen trees preserved on the site shall be calculated by multiplying the number of trees (by diameter) times the units assigned in TABLE C, CREDIT FOR SPECIMEN TREES. Credit shall be given for all specimen trees preserved on a property except for those located in a required zoning buffer where partial credit may be given. A specimen tree located within a buffer with a critical root zone extending beyond the buffer is allowed partial credit toward Tree Density Units. The partial credit is based on the percentage of CRZ that is outside of the buffer. For example given: a 30" specimen tree's CRZ extends by 20% over the buffer line then the developer receives 20% of the credit for a 30" existing specimen tree (19.6 x .20 = 3.92 TDU's)."

To determine the percentage of CRZ outside of the buffer simply measure the area of the CRZ circle. Then measure the area of CRZ outside of the buffer. Divide the smaller number into the larger number and that is your percentage of CRZ. For example: given a specimen tree's CRZ is 6,000 square feet, 1,200 Sq. Ft. is outside of the buffer. Divide 1,200 by 6,000 and the answer is .2. In other words, 20% of the CRZ is outside of the buffer."

d. Additional credits shall be granted under the following circumstances:

(1) For specimen trees see Section 5.6 and Table C.

(2) Existing trees to be preserved within a minimum yard area (as required by the applicable zoning district) or within a 100-year flood plain shall be granted a bonus credit of 50 percent of the units assigned in Table B unless the tree is located within a required zoning buffer.

e. There shall be no more than 33% of any one genus of tree for overall site. Provide all

calculations on plan.

5.3.3 Tree Canopy Calculation.

The Tree Canopy Calculation is required for all new developments and existing developments adding structural or site improvements as defined in Section 5.1.

a. The Tree Canopy shall be calculated by assigning square feet of canopy to each tree proposed and each tree preserved. Square feet of canopy can be found in Appendix "A" Tree Species Lists. Stands of three or more trees can be computed with polygons and given in terms of square feet. Include buffer trees, landscape strip trees, parking lot trees and any tree preserved or replaced. Add the total square feet of canopy. Take the total site acreage and convert that to square feet. Divide the total square feet of canopy into the total square feet for the site and list it as a percentage. Provide calculations on the Tree Preservation/ Replacement plan. There is no minimum or maximum tree canopy percentage required at this time.

c. Example

Qty	Botanical Name	Canopy Area in square feet	Total Canopy area in square feet
10	Fraxinus pennsylvanica	1,800	18,000
27	Juniperus virginiana	800	21,600
14	Quercus coccinea	1,800	25,200
8	Nyssa aquatica	800	6,400
23	Pinus taeda	300	6,900
6	Existing oak hardwoods	1,800	10,800
	Existing (mixture of softwoods and hardwoods)	polygon	23,400
		TOTAL	112,300
4.0 Acres	Total site acreage		174,240
	Percentage of total site canopy	112,300 divided by 174,240	64%

5.3.4. Tree Bank

The intent of the Buffer, Landscape, and Tree Ordinance requirements is to ensure that a minimum number of trees are replaced and/ or preserved on newly developed or redeveloped sites. The Tree Bank is an alternative option and may be used only in the event the site tree density or recompense tree requirement cannot be met on-site due to hardship. Hardship must be documented by the developer and presented to the Director before the Tree Bank may be utilized. The Tree Bank provides two options, which are described in full below.—

Trees used to meet requirements for parking lots, landscape strips, street frontage buffers, or buffer replanting must be planted on site and are excluded from the Tree Bank procedures. Trees that are required to meet minimum tree density units and/or recompense requirements can be contributed toward the Tree Bank in accordance with Option One or Option Two below.

a. Option One, Planting trees off-site: Install an equal amount of required tree density units in the form of an approved number of trees on an alternate site. In this case the following criteria shall be observed:

1. The Peachtree Corners Department of Planning and Development, in conjunction with the Tree Advisory Committee, has prepared a non-exclusive list of alternate "Option One" sites. The City of Peachtree Corners Department of Planning and Development has contacted the owners of these sites and these owners have expressed an interest in receiving trees from the Tree Bank. Persons wishing to utilize Option One should consult with the City of Peachtree Corners Department of Planning and Development to see if their required tree density units can be located on one of these alternate sites. The developer may present the City of Peachtree Corners Department of Planning and Development with alternate sites. Planting on individual residential lots is prohibited.

2. The developer shall submit a Tree Preservation/ Tree Replacement Plan showing a location for the planted trees on the proposed site. The developer shall also provide calculations on the plan for tree density or recompense trees from the developed site. The site plan shall state the size, genus, species, and quantity of trees to be planted. Each tree must be (2") two inches in diameter at a minimum. For trees in which double recompense is required each tree must be (3") three inches in diameter at a minimum. Recompense calculations must be shown on plan.

3. If the proposed site is not one of the alternate sites, discussed above, an authorization from the title holder of the site indicating that it agrees to the planting of trees by the developer upon the site shall also be submitted along with the Tree Preservation/ Tree Replacement Plan.

4. The site for the trees shall be within the same district in which the development is Located or within five (5 miles of the Original development per the Director's approval.

5. Trees are to be maintained and guaranteed for one full year after planting by the developer. Any trees that die during the one year time period must be replaced by the developer. Standards for transplanting shall be in keeping with those established by the International Society of Arboriculture, as included in the "Tree and Shrub Transplanting Manual," latest edition.

b. Option Two, Monetary Compensation for Trees: A developer may choose to provide the City of Peachtree Corners Department of Planning and Development with monetary compensation for trees. If this alternative for the development is chosen, then the following criteria shall be observed:

1. Provide Tree Density calculations on the Tree Preservation/ Tree Replacement Plan. Show the total amount of tree density units that cannot be met on-site.

2. Multiply the tree density units that cannot be met on-site by the Monetary Compensation Value. The product of those two numbers shall be provided on the Tree Preservation/ Tree Replacement Plan. Contact the Planning and Development Certified Arborist or Landscape Architect for the current Monetary Compensation Value.

3. Provide a certified check in the amount of the product given on the Tree Preservation/ Tree Replacement Plan made out to the City of Peachtree Corners. Give the certified check to a Development Review Section Planner along with a copy of the Tree Preservation, Tree Replacement Plan.

4. The monies collected for the Tree Bank Option Two may be used by the Department of Planning and Development, Community Services, and/ or Support Services for the planting of trees at parks, greenways, fire stations, and libraries within the same district in which the development is located or within five (5) miles of such district. Alternate planting locations may be approved by the Director of the Department of Planning and Development.

5.3.4.1 Standards for administering these alternative compliance methods.

a. The Director must review and approve all requests for alternative compliance. In no instance shall the alternative compliance options be used to comply with any other ordinance requirement than the tree density or specimen tree requirement.

b. The site development permit shall be issued after the Director has approved the request for either compliance option and received the necessary documentation and funds.

TABLE B - CREDIT FOR EXISTING TREES (measured at 4.5 feet above the ground)							
CONVERSION FROM TREE DIAMETER IN INCHES TO TREE DENSITY UNITS FOR TREES REMAINING ON SITE							
DIA.	UNITS	DIA.	UNITS	DIA.	UNITS	DIA.	UNITS
3	.5	15	2.4	27	8.0	39	16.6
4	.6	16	2.8	28	8.6	40	17.4
5	.7	17	3.2	29	9.2	41	18.4
6	.9	18	3.6	30	9.8	42	19.2
7	1.0	19	4.0	31	10.4	43	20.2
8	1.1	20	4.4	32	11.2	44	21.2
9	1.2	21	4.8	33	11.8	45	22.0
10	1.3	22	5.2	34	12.6	46	23.0
11	1.4	23	5.8	35	13.4	47	24.0
12	1.6	24	6.2	36	14.2	48	25.2
13	1.8	25	6.8	37	15.0	49	26.2
14	2.2	26	7.4	38	15.8	50	27.2

Note: **Tree diameter for existing trees is measured at 4.5 feet above the ground.**

Note: **Tree diameter fractions may be "rounded up" if 0.5 inches or greater or "rounded down" if less than 0.5 inches.**

TABLE C - CREDIT FOR SPECIMEN TREES (measured at 4.5 feet above the ground.)							
CONVERSION FROM SPECIMEN TREE DIAMETER IN INCHES TO SPECIMEN TREE DENSITY UNITS FOR SPECIMEN TREES ON SITE							
DIA.	UNITS	DIA.	UNITS	DIA.	UNITS	DIA.	UNITS
12	3.2	24	12.4	36	28.4	48	50.4
13	3.6	25	13.6	37	30.0	49	52.4
14	4.4	26	14.8	38	31.6	50	54.4
15	4.8	27	16.0	39	33.2	51	56.4
16	5.6	28	17.2	40	34.8	52	58.4
17	6.4	29	18.4	41	36.8	53	60.4
18	7.2	30	19.6	42	38.4	54	62.4
19	8.0	31	20.8	43	40.4	55	64.4
20	8.8	32	22.4	44	42.4	56	66.4
21	9.6	33	23.6	45	44.0	57	68.4
22	10.4	34	25.2	46	46.0	58	70.4
23	11.6	35	26.8	47	48.0	59	72.4

Note: Tree diameter for existing trees is measured at 4.5 feet above the ground.

TABLE D - CREDIT FOR REPLACEMENT TREES (measured at 6 inches above the ground)			
CONVERSION FROM TREE DIAMETER IN INCHES TO TREE DENSITY UNITS FOR PROPOSED REPLACEMENT TREES			
Diameter	Units	Diameter	Units
2	.5	9	1.5
3	.6	10	1.7
4	.7	11	1.9
5	.9	12	1.1
6	1.0	13	2.3
7	1.2	14	2.5
8	1.3	15	2.7

Note: Tree diameter for new replacement trees is measured at 6 inches above the ground.

Note: Tree diameter fractions may be "rounded up" if 0.5 inches or greater or "rounded down" if less than 0.5 inches.

Note: Multi-trunked trees shall be given credit by measuring the single largest trunk only. Tree-form shrubs shall not be given credit.

5.4 TREE PRESERVATION AND REPLACEMENT REQUIREMENTS

5.4.1 The following guidelines and standards shall apply to trees proposed to be preserved for credit toward meeting the minimum required Tree Density Standard on a property.

a. Tree Protection Areas.

The root system is generally within the dripline or critical root zone. To protect these critical roots, a Tree Protection Area shall be established around each tree or group of trees to be retained.

(1) The Tree Protection Area shall include no less than the total area beneath the tree

canopy as defined by the dripline or critical root zone of the tree or group of trees collectively.

(2) Layout of the project site utility and grading plans shall avoid disturbance of the Tree Protection Area.

(3) Construction site activities such as parking, materials storage, concrete washout, burnhole placement, etc., shall be arranged so as to prevent disturbances within Tree Protection Areas.

b. Protective Barriers.

(1) Protective tree fencing shall be installed between buffers and Tree Protection Areas and areas proposed to be cleared, graded, or otherwise disturbed on the site, prior to any land disturbance.

(2) All Tree Protection Areas are recommended to be designated as such with "tree save area signs" posted in addition to the required protective fencing. Signs requesting subcontractor cooperation and compliance with tree protection standards are recommended for site entrances.

(3) All Tree Protection Areas must be protected from soil sedimentation intrusion through the use of silt screens or other acceptable measures placed up-slope from the tree protection area.

(4) All protective tree fencing and all erosion control barriers must be installed prior to and maintained throughout the land disturbing and construction process, and should not be removed until final landscaping is installed.

c. Encroachment.

If encroachment into a Tree Protection Area occurs which causes irreparable damage to the trees, the Tree Preservation and/or Replacement

Plan shall be revised to compensate for the loss. Under no circumstances shall the developer be relieved of responsibility for compliance with the provisions of this ordinance, nor shall plan revision activities stop the department from instituting action for violation of this ordinance.

5.4.2 Replacement trees proposed to be planted for credit toward meeting the minimum required Tree Density Standard on a property shall comply with the following:

a. The spacing of replacement trees must be compatible with spatial site limitations and with responsible consideration towards species size when mature.

b. Trees selected for planting shall be a species listed on Appendix "A" Canopy or Understory Species List of this ordinance. Standards for transplanting shall be in keeping with those established by the International Society of Arboriculture, as included in the "Tree and Shrub Transplanting Manual," latest edition, or similar publications. Refer to the American Association of Nurserymen publication "American Standard for Nursery Stock" (ANSI Z60, 1973) for plant material quality specifications. Refer to the "Manual of Woody Landscape Plants" (Michael Dirr, 1983, Castle Books) or similar publications for information on tree species site requirements.

c. Trees selected for planting must be free from injury, pests, disease, nutritional disorders or root defects, and must be of good vigor, so as to assure a reasonable expectation of survivability.

5.5. TREE SPECIES LISTS

Tree species lists are found in Appendix "A" of this ordinance. The director is authorized to administratively add and delete species to both lists. Except as specifically approved by the director as a modification, only the trees listed shall be given credit towards meeting the requirements of this article.

5.6 SPECIMEN TREES

a. Specimen trees are required to be preserved. A preliminary meeting shall take place on site between the Certified Arborist, authorized registered professional or Urban Forester contracted by the developer and the Planning & Development Certified Arborist or authorized registered professional and a determination shall be made at that time which trees are identified as specimen trees. A site visit prior to approval of the concept plan will allow for incorporation of specimen trees into the overall site design.

b. A specimen tree survey plan is required to be submitted with the concept plan and shall be prepared by a Certified Arborist, authorized registered professional, or Urban Forester. Any tree that meets the following criteria is considered a specimen tree and shall be shown on the specimen tree survey plan.

Identification Criteria (meeting both of the following):

1) Tree Size:

Large Hardwood	28 inch diameter or larger
Large Softwood	30 inch diameter or larger
Small Native Flowering	12 inch diameter or larger

2) Condition:

a. A life expectancy of greater than 10 years.
b. A sound and solid trunk with no extensive decay or hollow, and less than 20% radial trunk dieback.
c. No more than one major and three minor dead limbs (hardwoods only).
d. No major insect problem
e. No major pathological problem (fungus, virus etc.).
f. Small Native Flowering tree if considered a rare species.
g. Exceptional quality.
h. Of historical significance.

c. At the preliminary site visit, Specimen Trees shall be identified and wrapped with green/white striped plastic flagging.

d. Planning and Development Certified Arborist, authorized registered professional, or Third-Party Certified Arborist, authorized registered professional, or Urban Forester shall conduct a second site visit prior to any land disturbance or permit issuance. Specimen trees identified at the preliminary meeting shall be re-inspected and tree protection fencing for those specimen trees will be inspected for compliance. Specimen trees identified on the specimen tree survey plan shall have tree protection fence at the critical root zone or dripline and shall be wrapped with green/white striped plastic flagging.

5.6.1 Specimen Tree Stands:

Specimen tree stands are required to be preserved. At the preliminary site meeting the Certified Arborist, authorized registered professional or Urban Forester contracted by the developer meet with Planning & Development Certified Arborist, authorized registered professional or Third-Party Certified Arborist, authorized registered professional or Urban Forester and determine which trees are identified as specimen tree stands. If groupings of trees are designated as specimen tree stands, they are required to be preserved and shown on the tree survey plan. Specimen tree stands shall be marked as listed above in item 5.6 c.

Identification Criteria (meeting one or more of the following):

a. Contiguous group of trees that contain one or more specimen trees and the specimen trees are interlocked with other members of the stand in such a manner as to endanger the specimen tree if other members of the stand were to be removed.
b. Stand of historical significance.
c. Exceptional aesthetic quality or striking characteristics.
d. Unique, of a Rare or unusual species.

5.6.2 Specimen Tree Preservation:

Additional density credit will be given for the preservation of specimen tree(s) given tree preservation is followed per the guidelines listed below and in this ordinance. Credit for any successfully saved and maintained specimen tree is listed in Table C, Credit for Specimen Trees.

a. The critical root zone shall include no less than the minimum area beneath a tree that must be left undisturbed. The CRZ is a concentric circle centering on the specimen tree's trunk with a radius equal in feet to 1.5 times the number of inches of the trunk's diameter at breast height (4.5') or the dripline, whichever is greater. For example the CRZ for a 24" diameter tree trunk is a 36' radius concentric circle from the trunk of the tree. However, if the dripline extends further than the 36'circle that dripline shall take precedence

b. The layout of utility lines, easements, and grading shall be outside the critical root zone or dripline.

c. There shall be no parking, construction material storage, bury pits, concrete or gravel wash out, within critical root zones, driplines, and tree save areas.

d. Critical root zone or dripline of specimen tree(s) and tree save areas shall remain undisturbed with the following exceptions.

    1. Thinning is allowed and may include manual removal (no motorized/ wheeled or track vehicles) of non-specimen trees. Stumps may be ground provided there is no grading disturbance.

    2. The manual removal of the following plants is allowed : Kudzu; Japanese Honeysuckle, Lonicera japonica; Japanese Climbing Fern, Lygodium japonicum; Mimosa, Albizia julibrissin; Multiflora Rose, Rosa multiflora; Autumn Olive, Elaeagnus umbellata, Chinese Privet, Ligustrum sinense; Chinese Tallow Tree, Sapium sebiferum. A Commercial Applicator License

and a Pesticide Contractor License are required by the contractor if the use of herbicides is necessary for noxious plant material removal.

3. Non-vegetative material may be removed manually.

4. Thinning and clearing of any vegetative material in the CRZ shall be done in the landscape installation phase of development.

5. A maximum of (30%) thirty percent of disturbance is allowed within the critical root zone given specific circumstances. Specific circumstances include and are not limited to sidewalks, boardwalks, and paths. Any proposed disturbance shall be reviewed and approved by the Director.

5.6.3. Specimen Tree Protection:

a. The tree protection fence shall be placed at the dripline or critical root zone of the trees.

b. Tree protective fencing shall be located at the dripline or the critical root zone prior to any land disturbance. Planning & Development Certified Arborist, authorized registered professional, or Third-Party Certified Arborist, authorized registered professional or Urban Forester shall conduct a site visit prior to any land disturbance to inspect tree protection fencing.

c. Specimen trees and clearing limits shall be shown on the site plan, grading plan, erosion control and sedimentation plan, utility plan, and Tree Preservation/ Tree Replacement Plan.

d. The top vegetative cover within the critical root zone or dripline shall remain undisturbed. Mulch may be applied if the Certified Arborist, authorized registered professional or Urban Forester finds it will benefit the tree. If mulch is applied, it shall be aged hardwood mulch, and it shall be applied at the landscape installation phase of the project.

e. Tree protection fencing shall be a minimum of 4 feet in height and be one of the three options listed below:

1. orange mesh type fabric or polyethylene laminar safety fencing.
2. 2 inch by 4 inch posts and 1 inch by 4 inch rails.
3. chain link fence , minimum 4 feet in height.

f. Tree protection fences must have signage in both English and Spanish language that reads "Stay Out", "No Entrada", and "Tree Save", "Salve un Arbol", posted on fence every 20 feet with a minimum of four (4) signs.

g. Specimen trees and stands of specimen trees shall be protected from silt.

1. Type C silt fencing must be placed along the outer uphill edge of tree protection zones where land disturbance is taking place.

h. A bond is required for specimen trees consistent with City of Peachtree Corners policy.

5.6.3.1 A stop work order will be issued if project is found to be out of compliance with the Specimen Tree Sections.

5.6.4 Specimen Tree Survey:
A specimen tree survey is required in addition to the concept plan and shall be to scale and shall be prepared, certified or sealed by a Certified Arborist, authorized registered professional, or Registered Urban Forester. The specimen tree survey shall be submitted as a separate sheet in the concept plan set. The specimen tree survey is required in the concept plan set prior to submittal of the construction drawings. The concept plan must be approved before the approval of the construction drawings. A preliminary meeting shall take place on site between the Certified Arborist, authorized registered professional or Urban Forester contracted by the developer and the Planning and Development Certified Arborist or authorized registered professional and a determination shall be made at that time which trees are identified as

specimen trees. At a minimum the following items shall be shown on the tree survey:

a. Specimen trees are to be located and labeled with their diameters and genus. The dripline or critical root zone (whichever is greater), shall be delineated on plan.

b. Specimen Tree Stands are to be located and labeled with their diameters, genus, quantity, and critical root zone or dripline (whichever is greater), and shall be delineated on the tree survey plan.

c. Location of existing structures shall be shown on plan.

d. Project name, developer's name and contact information, designer's name and contact information shall be shown on plan.

e. Prior to the issuance of any type of land disturbance permit, Planning and Development Certified Arborist, authorized registered professional or Third-Party Certified Arborist, authorized registered professional, or Urban Forester shall conduct an on-site tree inspection to check for tree protection measures.

Concept Plan
At a minimum the following items shall be shown on the concept plan:

a. Specimen trees,

b. Dripline or critical root zone of specimen tree and tree save areas,

c. Building footprint,

d. Driveways,

e. Parking lot,

f. Utility lines and easements,

g. Limits of disturbance,

h. Detention areas,

i. Project name, owner/ developer's name and contact information, designer's name and contact information.

j. In the case of trails and greenways that are not located on public access easements and public or private utility easements show the proposed trail or greenway, show the trail or greenway limits of clearing, show a 25 foot corridor on either side of the trail or greenway limits of clearing and show any specimen tree that is within that trail or greenway corridor. It is encouraged to relocate the trail or greenway outside of the critical root zone of the specimen tree(s). If the trail or greenway cannot be relocated outside of the critical root zone of the specimen tree, then the specimen tree cannot be counted toward meeting the tree density units. The Director is hereby authorized to review for alternative trail or greenway configurations.

k. Given a site with limited land disturbance: a tree survey is required for the area within the land disturbance and 50 feet beyond the limits of the disturbance line.

5.6.4.1 Additional information required for specimen trees on site plan, grading plan, erosion control and sedimentation plan.

Item to be shown on plan	Erosion Control and Sedimentation Plan	Grading Plan	Site Plan	Utility Plan	Tree Preservation/ Tree Replacement Plan
Specimen tree	x	x	x	x	x
Limits of land disturbance	x	x	x	x	x
Existing contours	x	x			x
Proposed contours	x	x			x
Cut and fill		x			
Clearing and trenching		x			
Tree protection fence	x	x			x
Silt fencing detail	x				
Areas of construction staging for parking, material storage, water storage tanks, concrete wash out, debris burn		x			
Tree protection measures such as transplanting specifications tree wells, aeration systems, and staking specifications					x
Procedures and schedules of tree protection measures for installation and inspection by contractor					x
Overhead utility lines, power , cable, and phone					x

5.6.4.2 Exemptions: The following are exempt from a tree survey and concept plan:

a. Small sites in which it is clearly visible from one vantage point that there are no specimen trees on site will not be required to submit a tree survey or concept plan. The City shall require a letter from the Certified Arborist,

authorized registered professional or Urban Forester certifying there are no specimen trees on site.

b. A site that has been previously graded or cleared under a development permit or land disturbance permit and in which there are no specimen trees on site is not required to submit a tree survey or concept plan. The City shall require a letter from the Certified Arborist, Authorized Registered Professional, or Urban Forester certifying there are no specimen trees on site.

5.6.5. Specimen Tree Removal.

1. With Director Approval:

a. If a specimen tree previously identified on the specimen tree survey to be preserved cannot be preserved due to site constraints, the developer shall submit to the Director a statement of hardship alleging a necessity for removal of the specimen tree and site design alternatives. The Director is hereby authorized to make a determination whether a specimen tree may be removed. Examples of hardship include, but are not limited to, a tree's proximity to overhead transmission lines and topography after site design options have been exhausted. Hardship factors require due justification and shall include documentation. Plans showing justification shall include specimen tree survey, existing and proposed contours, proposed site/ concept plan, and photos of the tree.

b. The Director is hereby authorized to determine recompense requirements when a specimen tree requires removal based on site constraints. Recompense requirements shall not count toward existing specimen tree density units.

c. If specimen tree removal is approved by the Director recompense tree units generated from removal of a specimen tree(s) shall not be counted toward any landscape requirement such as parking lot, landscape strip or buffer trees.

d. The Director is hereby authorized to make a final determination whether a tree is a specimen tree

and whether it has historical significance.

2. Without Director Approval

a. If a specimen tree is removed without prior approval from the Director, the penalty to replace that tree is two times the tree density units of the specimen tree removed. The replacement tree(s) shall be 3 inches in diameter or greater.

b. If a specimen tree is removed without Director Approval with no residual evidence of its condition with the exception of the trunk, the diameter of the trunk will determine if the tree was of specimen quality. Required recompense units shall be two times the tree density units of the specimen tree removed. Replacement trees shall be 3 inches or greater.

c. If there is site evidence that a specimen tree is removed without plan approval and there is no residual evidence of its condition or trunk diameter, recompense requirements shall be a minimum of two (28") twenty eight inch hardwood trees. The property owner will be required to plant 34.4 tree density units on site in addition to other site density requirements.

5.6.6. Specimen Tree Options:

The following are suggested guidelines for successful specimen tree preservation.

a. Specimen Tree Value:
At the option of developer and contractor a value of the tree can be computed and displayed on the tree protection fence during construction. Once the value is computed it can be written down in English and Spanish language on a weatherproof placard and placed on the tree protection fencing. The monetary replacement value of a specimen tree can be computed in two different ways:

1. A Certified Arborist may compute the value using the standard ISA Plant Appraisal method.

2. The "replacement" value of the tree is defined as the cost to replace a tree based on the requirements in Section 5.6.5.(2.a.) of this ordinance. Compute the value by taking the diameter of the specimen tree and match it to the existing credit unit value for that tree. The result is the total number of credit units attributed to the specimen tree. For this example the tree was removed without prior Director approval, therefore the tree density unit for the specimen tree must be multiplied by two. Take the total and divide by .6 (a 3 inch diameter replacement tree is worth .6 units). The result is the number of trees necessary to replace the specimen tree. Multiply the number of trees needed by the cost of the tree including planting, labor and materials. The result is the total cost to replace the specimen tree or "the value" of the specimen tree.

a. Example, Given: a 36 inch diameter oak tree.

1) Credit Value = 28.4 Credit Units
2) A 3 inch diameter replacement tree = .6 credit units(See Table D)
3) 28.4 times two equals 56.8
4) 56.8 divided by .6 = 94.66 replacement trees needed
5) 95 x $250.00 (estimated cost) = $23,750 = Value of the tree

ARTICLE 6
PLAN AND PLAT SPECIFICATIONS

6.1. WATER-EFFICIENT DESIGN CONSIDERATION

It is the policy of the City of Peachtree Corners to encourage individuals or firms who prepare the plans and plats required by this ordinance to consider the use of water- efficient landscaping principles and techniques as one of the criterion to be used in plant selection and design.

6.1.1. Principles and Techniques of Water-Efficient Landscaping (Xeriscaping).

The recommended principles and techniques to be considered are as follows.

a. Proper Location and Design - locating plants where they will naturally thrive and not require excessive water and maintenance to survive, as well as grouping plants by water needs, and limiting and concentrating high water using plants.

b. Turf Selection - limiting turf areas, and selecting turf grasses that can survive the variable rainfall conditions in this region.

c. Efficient Watering - once plants are established, avoid watering during periods of normal rainfall and during droughts, watering every week to 10 days or less depending on the drought tolerance of the plants.

d. Soil Improvements - loosening and breaking up the soil beyond the immediate planting area to allow better water absorption and to promote deep roots.

e. Mulching - using mulch to hold moisture in the soil which helps maximize the benefits of watering as well as preventing weeds.

f. Plant Selection - selecting plants native or suitable to the region according to their watering requirements and optimum locations.

g. Maintenance - maintaining the landscape to maximize water conservation such as increasing mowing

heights and avoiding fertilizing during dry spells.

6.2. BUFFER AND LANDSCAPE PLAN SPECIFICATIONS

The following subsections and paragraphs outline the required elements of the plans and plats mentioned throughout this ordinance.

6.2.1. A Buffer and Landscape Plan shall be prepared for any project wherein buffer areas or other landscaping areas or treatment are required by this ordinance, the Zoning Resolution, conditions of zoning, special use or variance approval, or other regulations of the City of Peachtree Corners, and shall be approved prior to issuance of a Development Permit. While the plan shall cover, at a minimum, the required buffer and landscape areas, the plan can be combined with a general landscaping plan for the entire project and/or a Tree Preservation and/or Replacement Plan, at the developer's option.

6.2.2. The Buffer and Landscape Plan shall be shown on a Site Plan or boundary survey drawn to the same or a larger scale as the other plan documents prepared for the Development Permit Application and shall cover the same area.

6.2.3. The Buffer and Landscape Plan shall contain but need not be limited to the following:

a. Project name and Land District, Land Lot, and acreage.

b. Developer's name and telephone number.

c. The name, address, and telephone number of the authorized registered professional, Urban Forester, or Certified Arborist responsible for preparation of the plan.

d. Boundary lines of each buffer or other landscape area, appropriately labeled.

e. Delineation of undisturbed buffer areas, and any other areas wherein trees are proposed to be retained to meet City requirements, along the driplines of the trees or groups of trees

contained therein. These areas shall be treated

in accordance with the Tree Protection Area requirements contained in this ordinance, and labeled as such. Protective barriers and signage as required by this ordinance shall be shown as to location and detailed.

f. General location of all proposed trees, shrubs, vines, groundcovers, mulching, and other features proposed within the buffer/landscape area. A scale sufficient to clearly indicate all details shall be used, along with a north arrow.

g. Within areas involving or adjacent to land form changes, existing and finish grade topographic lines at an interval of no more than 2 feet may be required.

h. For new plant materials to be installed, a plant material list including but not limited to:

(1) Common and botanical names of all proposed plants.

(2) Plant quantities.

(3) Size and condition of plants. (Example: 1" diameter, 6 feet height, balled and burlapped).

(4) Spacing.

(5) Remarks as necessary to insure proper plant selection upon installation. (Example: specimen, multi-trunked).

6.3. TREE PRESERVATION AND/OR REPLACEMENT PLAN SPECIFICATIONS

6.3.1. Tree Preservation and/or Replacement Plans shall be prepared by an authorized registered professional, Urban Forester, or Certified Arborist in accordance with the specifications for such plans contained herein.

6.3.2. The Tree Preservation and/or Replacement Plan shall be shown on a copy of a Preliminary Plat, Concept Plan or Site Plan, with the exception of a permit to conduct tree thinning, as appropriate to the proposed

development, drawn to the same scale as the other plan documents prepared for a Land Disturbance Permit application on the property, and shall cover the same area. The plan may be combined with a required Buffer and Landscape Plan for the project, at the option of the developer.

6.3.3. The Tree Preservation and/or Replacement Plan shall provide sufficient information and detail to clearly demonstrate that all applicable requirements and standards of this ordinance will be fully satisfied.

6.3.4. The Tree Preservation and/or Replacement Plan shall contain but need not be limited to the following:

a. Project name, land district, land lot, north arrow and scale.

b. Developer's name, address, and telephone number.

c. The name, address, and telephone number of the authorized registered professional, Urban Forester, Certified Arborist or other authorized individual responsible for preparation of the plan, in accordance with the requirements of subsection 6.3.1, above, and the Seal or statement of professional qualifications of said person (which may be attached separately).

d. Delineation of all minimum yard areas, buffers, and landscape areas as required by the Zoning Resolution or conditions of zoning, special use or variance approval.

e. Total acreage of the site and total acreage exclusive of all zoning buffer areas.

f. Delineation of all areas located within a 100-year flood plain.

g. Existing trees to be retained in Tree Protection Areas:

Trunk location and size (to the nearest inch in diameter at 4.5 feet above the ground), of individual trees proposed to remain for credit toward meeting the minimum Tree Density Standard on the property. Groups of three (3) or more trees

whose driplines combine into a single Tree Protection Area may be outlined as a group and their number, by diameter, shown in the Summary Table. If the number and size of all existing trees to remain on the site exceeds the required tree density standard for the entire site, only those trees required to meet the minimum Tree Density Standard must be shown. All Tree Protection Areas are to be outlined and labeled.

h. Tree Protection Measures:

(1) A detail or description of the protective tree fencing to be installed, and the location of such measures, which at a minimum shall follow the dripline of all trees to be retained along adjoining areas of clearing, grading, or other construction activity.

(2) Measures to be taken to avoid soil sedimentation intrusion into Tree Protection Areas, and the location of such devices.

(3) Proposed location of temporary construction activities such as equipment or worker parking, materials storage, burn holes, equipment washdown areas, and entrance pads.

(4) Proposed type and location of any tree save area signs or other pertinent signage.

i. If replacement trees are proposed to be planted in order for the property to achieve the required Tree Density Standard, the replacement trees shall be shown and their spacing and diameter identified, to the extent needed to achieve the minimum requirements. Trees grouped together in tree planting areas may be listed on the Summary Table by total number in the grouping, by size.

j. A Summary Table of the number of existing trees to remain and new trees to be planted, by diameter to the nearest inch at 4.5 feet above the ground for preserved trees and at 6 inches above the ground for replaced trees, shall be shown along with calculations showing the tree density achieved for the site. Additional credits shall be noted where applicable (see Subsection 5.3.2, paragraph d.).

Groupings of trees in Tree Protection Areas and areas for new tree planting may be keyed to the Summary Table by area rather than having each tree individually labeled on the plan.

6.3.5. The plan sheet which shows the grading plan, including existing and proposed contour lines, shall indicate the dripline location of all Tree Protection Areas through the use of shading on the plans. The exact location of each tree is not desired to be shown, only the limits of the Tree Protection Area and any other areas which are not to be disturbed.

ARTICLE 7
COMPLIANCE

7.1. ARTIFICIAL MATERIALS PROHIBITED

All artificial plants, trees, shrubs, grass or other vegetation shall be prohibited from fulfilling the requirements of this ordinance.

7.2. WARRANTY OR MAINTENANCE SURETY

Upon final installation of new trees, shrubs or other landscape material planted to meet the requirements of this ordinance, and following acceptance by the department in accordance with the procedures set forth in the Development Regulations, the owner shall either provide proof of warranty or post a Maintenance Bond or other acceptable surety, warranting the new trees, shrubs or landscape material for a period of no less than one (1) year. This section shall not apply to individual residential lot trees.

7.3. INSPECTION

7.3.1. The department shall perform an inspection of the plantings and landscape materials required by this ordinance prior to expiration of the one (1) year warranty or maintenance period. The owner shall be notified of any replacements or restoration that must be made to maintain compliance with this ordinance or conditions of zoning, special use or variance approval.

7.3.2. Required landscape material found to be dead or near death shall be replaced prior to release by the department of the warranty or maintenance surety. In no case shall replacement be delayed greater than 30 days from notification unless a performance bond is posted with the department.

7.4. PERFORMANCE SURETY

7.4.1. Compliance Prior to Certificate of Occupancy or Final Plat Approval.

In the event that new trees proposed to be planted to achieve the Tree Density Standard as set forth in the Tree Regulations contained herein, or other trees or landscape material required to be planted as set forth in the Buffer Regulations or Landscape Regulations contained herein, are not installed upon application for a Certificate of Occupancy or Final Plat approval as appropriate to the project, then a Performance Bond or other acceptable surety in an amount equal to 110% of the value of the new trees or landscape material and their installation shall be posted with the department in accordance with the performance bonding requirements and provisions of the Development Regulations.

7.4.2. Compliance upon Permit Completion or Expiration.

Properties where a permit is issued to conduct land disturbing activities that do not require the issuance of a Certificate of Occupancy or the approval of a Final Plat, or said activities as authorized are completed or the permit expires, shall comply with the Tree Density Standard of this ordinance as follows:

a. Clearing, Clearing and Grubbing, or Grading Only Permits.
Replacement trees proposed to be planted to achieve the Tree Density Standard of this ordinance which are not planted upon completion or prior to expiration of a Clearing, Clearing and Grubbing, or Grading Permit, shall be planted within 30 days of the completion or expiration of said permit unless a performance bond is posted with the department.

b. Development Permits.
Replacement trees proposed to be planted to achieve the Tree Density Standard of this ordinance which are not planted upon expiration, as opposed to completion, of a Development Permit shall be planted within 30 days of expiration of said permit unless a performance bond is posted with the department.

7.5. CONTINUING MAINTENANCE

7.5.1. The owner, occupant, tenant, and respective agent of each, if any, shall be jointly and severally responsible for the perpetual maintenance and protection of buffers, trees and landscape plantings required by this ordinance. Homeowners are exempt from this maintenance requirement for the Individual Lot Tree or Tree Protection Area option of Article 5 unless these trees are protected by a conservation easement.

7.5.2. The department is hereby authorized to order diseased, infested, dying, dead or damaged landscaping required herein to be replaced.

7.5.3. Buffers that, over a period of time, lose their screening ability shall be replanted to meet the requirements of this ordinance.

7.5.4. Replacement trees and landscaping shall be in accordance with the applicable provisions of this ordinance.

ARTICLE 8
ENFORCEMENT, VIOLATION AND APPEALS

8.1. ENFORCEMENT

It shall be the responsibility of the director to enforce this ordinance. The director shall have the authority to revoke, suspend, or void any Clearing, Clearing and Grubbing, Grading, Development or Building Permit or to withhold issuance of a Certificate of Occupancy or approval of a Final Plat, and shall have the authority to suspend all work on a site or any portion thereof, where tree removal or damage occurs in violation of this ordinance or the provisions of the approved Tree Preservation and/or Replacement Plan for the site.

8.2. VIOLATION AND PENALTY

Any person violating a provision of this ordinance shall be guilty of violating a duly adopted ordinance of the City of Peachtree Corners, and upon conviction by a court of competent jurisdiction, may be punished either by a fine not less than $100 per day and not to exceed $1,000 per day, or confinement in jail not to exceed 60 days, or both. The Court shall have the power and authority to place any person found guilty of a violation of this ordinance on probation and to suspend or modify any fine or sentence. As a condition of said suspension, the Court may require payment of restitution or impose other punishment allowed by law which may include mandatory attendance at an educational program regarding tree preservation. The owner of any property wherein a violation exists, and any builder, contractor, or agent who may have assisted in the commission of any such violation, shall be guilty of a separate offense.

8.3. APPEALS, MODIFICATIONS AND WAIVERS

8.3.1. Variance from the Zoning Resolution.

The preservation of trees may be considered as a condition peculiar to a piece of property in support of

a request for a variance from the literal application of the provisions of the Zoning Resolution, under the procedures and requirements contained therein.

8.3.2. Appeals.

Appeals of the interpretation of the requirements of this ordinance by the director shall be filed and processed in accordance with the appeal procedures as set forth in the Development Regulations.

8.3.3. Waivers.

Waiver requests of the requirements of this ordinance shall be filed and processed in accordance with the waiver procedures as set forth in the Development Regulations.

8.3.4. Modifications.

Modification requests, where this ordinance specifically authorizes their granting, shall be filed and processed in accordance with the modification procedures established by the Development Regulations.

ARTICLE 9
ADOPTION AND AMENDMENT

9.1. REPEAL CLAUSE

The provisions of any ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are repealed, save and except such ordinances or resolutions, or parts of ordinances or resolutions, which provide stricter standards than those provided herein.

9.2. SEVERABILITY

Should any section, subsection, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance in whole or any part thereof other than the part so declared to be invalid.

9.3. AMENDMENT

This ordinance may be amended from time-to-time by resolution of the Mayor and Council of the City of Peachtree Corners. Such amendments shall be effective as specified in the adopting resolution.

9.3.1. Lots of record for which a building permit shall have been issued prior to the effective date of an amendment to this ordinance shall be considered "grandfathered" and may proceed to completion under the terms of the permit and regulations in place prior to the amendment.

9.3.2. Subdivisions or projects for which a Development Permit shall have been issued prior to the effective date of an amendment to this ordinance shall be considered "grandfathered" and may proceed to completion under the terms of the permit and regulations in place prior to the amendment.

9.3.3. Subdivisions or projects for which only a Clearing,

Clearing and Grubbing, or Grading permit shall have been issued prior to the effective date of an amendment to this ordinance shall be made to comply with the requirements of the amendment prior to the issuance of a Development Permit.

9.3.4. Subdivisions or projects for which a valid and complete application for a Development Permit shall have been received prior to the effective date of an amendment to this ordinance shall be considered "grandfathered" and may proceed to completion under the regulations in place prior to the amendment provided that a Development Permit is obtained within 90 calendar days of the effective date and subject to the time limitations of the permit.

APPENDIX "A" TREE SPECIES LISTS

A.1. CANOPY TREE SPECIES LIST
(40 to 100 feet in height at maturity)

Botanical Name	Common Name	Canopy area in Square Feet	Native Tree	Drought Tolerant	Ozone Remover
Acer rubrum cultivars	Red Maple	800	•	•	•
Acer saccharum cultivars	Sugar Maple	1,800	•	•	•
Betula nigra	River Birch	1,800	•	•	•
Carya species	Hickory Species	800	•		•
Cryptomeria japonica	Japanese Cryptomeria	800			
Cupressus arizonica	Arizona Cypress	300		•	
Fagus grandifolia	American Beech	1,800	•		•
Fraxinus pennsylvanica	Green Ash	1,800	•	•	•
Ginkgo biloba	Maidenhair Tree (Male Only)	1,800		•	•
Gleditsia tricanthus	Honey Locust	800	•		
Juniperus virginiana	Eastern Red Cedar	800	•	•	
Liquidambar styraciflua	Sweet Gum	800	•		
Liriodendron tulipifera	Tulip Poplar	800	•		•
Magnolia acuminata	Cucumber Magnolia	800	•		
Magnolia grandiflora	Southern Magnolia	1,800	•		
Metasequoia glyptostroboides	Dawn Redwood	800			•
Nyssa aquatica	Swamp Tupelo	800	•		
Nyssa sylvatica	Black Gum	800	•		
Pinus taeda	Loblolly Pine	300	•	•	
Platanus acerifolia	London Planetree	800		•	
Platanus occidentalis	American Sycamore	1,800	•	•	
Quercus alba	White Oak	1,800	•		
Querus bicolor	Swamp White Oak	1,800			
Quercus coccinea	Scarlet Oak	1,800	•	•	
Quercus falcata	Southern Red Oak	1,800	•	•	
Quercus laurifolia	Laurel Oak	1,800	•	•	
Quercus lyrata	Overcup Oak	1,800	•	•	
Quercus michauxii	Chestnut Oak	1,800	•		
Quercus nutallii	Nuttal Oak	1,800	•	•	
Quercus phellos	Willow Oak	1,800	•	•	
Quercus palustris	Pin Oak	1,800	•		
Quercus shumardii	Shumard Oak	1,800	•	•	
Taxodium distichum	Bald Cypress	800	•		
Thuja occidentalis	Eastern Arborvitae	300			
Ulmus parvifolia	Lace Bark Elm	800		•	•
Zelkova serrata	Japanese Zelkova	1,800			•

A.2. PARKING LOT & STREET TREE SPECIES LIST

Botanical Name	Common Name	Canopy Area in Square Feet	Native Tree	Drought Tolerant	Ozone Remover
Acer barbatum	Southern Sugar Maple	800	•		•
Acer rubrum cultivars	Red Maple	800	•	•	•
Acer saccharum cultivars	Sugar Maple	1,800	•	•	•
Carya species	Hickory species	800	•		•
Fraxinus pennsylvanica	Green Ash	1,800	•	•	
Ginkgo biloba	Maidenhair Tree (Male Only)	1,800		•	•
Juniperus virginiana	Eastern Red Cedar	300	•	•	
Nyssa sylvatica	Black Gum	300	•		
Platanus acerifolia	London Planetree	800			
Quercus coccinea	Scarlet Oak	1,800	•	•	
Quercus falcata	Southern Red Oak	1,800	•	•	
Quercus hemisphaerica	Darlington Oak	1,800	•	•	
Quercus laurifolia	Laurel Oak	1,800	•	•	
Quercus lyrata	Overcup Oak	1,800	•	•	
Quercus michauxii	Chestnut Oak	1,800	•		
Quercus nutallii	Nuttal Oak	1,800	•	•	
Quercus phellos	Willow Oak	1,800	•	•	
Quercus palustris	Pin Oak	1,800	•		
Quercus shumardii	Shumard Oak	1,800	•	•	
Tilia cordata	Little Leaf Linden	800		•	
Taxodium distichum	Bald Cypress	800		•	
Ulmus alata	Winged Elm	1,800	•	•	
Ulmus parvifolia	Lace Bark Elm	800		•	•
Ulmus rubra	Slippery Elm	1,800	•	•	
Zelkova serrata	Japanese Zelkova	1,800			•

A.3. SMALL TREE SPECIES LIST
(10 to 40 feet in height at maturity)

Botanical Name	Common Name	Canopy Area in Square Feet	Native Tree	Drought Tolerant	Ozone Remover
Acer barbatum	Southern Sugar Maple	800	•		
Acer buergeranum	Trident Maple	300		•	
Acer leucoderme	Chalk Maple	800	•		
Acer palmatum	Japanese Maple	300			
Amelanchier arborea	Serviceberry	300	•		•
Carpinus caroliniana	American Hornbeam	800	•		•
Cercis Canadensis	Eastern Redbud	800	•	•	•
Cercis chinensis	Chinese Redbud	300			
Chamaecyparis thyodies	Atlantic Whitecedar	800	•		
Cladrastis lutea	American Yellowwood	1,800	•		
Chionanthus virginicus	Fringe Tree, Grancy Graybeard	300	•		
Cornus alternifolia	Alternate Leaf Dogwood	300	•		
Cornus florida	Flowering Dogwood	300	•		•
Cornus kousa	Chinese Dogwood	300			
Cotinus obovatus	American Smoketree	300	•		
Halesia carolina	Carolina Silverbell	800	•		
Hamamelis virginiana	Witch-hazel	300	•		
Ilex x attenuata	Foster/Savannah Holly	300			
Ilex latifolia	Lusterleaf Holly	300			
Ilex x Nellie R. Stevens	Nellie R. Stevens Holly	300			
Ilex opaca	American Holly	300	•		•
Ilex verticillata	Winterberry	300	•		
Ilex vomitoria	Yaupon Holly	300	•	•	
Juniperus virginia	Red Cedar	300	•	•	
Maclura pomifera	Osage Orange	800	•	•	
Magnolia x soulangiana	Saucer Magnolia	300			•
Magnolia stellata	Star Magnolia	300			
Magnolia virginiana	Sweetbay Magnolia	800	•		
Malus floribunda	Japanese Flowering Crabapple	300			•
Myrica cerifera	Wax Myrtle	300	•		
Ostrya virginica	Ironwood	300	•		
Oxydendron arboreum	Sourwood	300	•		•
Parrotia persica	Persian Parrotia	300		•	
Pinus virginiana	Virginia Pine	300	•	•	
Prunus caroliniana	Carolina Laurel Cherry	300	•		
Prunus serrulata	Japanese Flowering Cherry	300			•
Prunus subhirtella 'Atumnalis'	Autumn Cherry	300			•
Prunus x yedoensis	Yoshino Flowering Cherry	800			•
Rhus species	Sumac	300	•		
Sassafras albidum	Sassafras	800	•	•	•
Thuja plicata	Western Arborvitea	300			
Vitex agnus-castus	Chastetree	300		•	

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*** Note: a. Crepe Myrtle, Lagerstroemia x fauriei, has been removed from the list. It can be used to meet decorative landscape purposes. It shall not be used to meet regulatory requirements.**

b. Leyland Cypress, Cupressocyparis leylandii, can be used to meet supplemental buffer plantings. It shall not be used to meet tree density or landscape strip requirements. (See B.L.T. 3.2.3.e)

STATE OF GEORGIA **Resolution 2013-01-03**
COUNTY OF GWINNETT

A RESOLUTION ADOPTING AND APPROVING THE REGULATORY FEES FOR THE CITY OF PEACHTREE CORNERS, GA FOR COMMERCIAL SOLID WASTE COLLECTION AND DISPOSAL SERVICE AND COMMERCIAL RECOVERED MATERIALS COLLECTION SERVICES AS PROVIDED IN THE CITY OF PEACHTREE CORNERS CODE OF ORDINANCES

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the City of Peachtree Corners, while in session January 29, 2013 as follows:

SECTION 1. That the general fee for commercial solid waste collection service providers and commercial recovered materials collection service providers remit an amount which equals three (3) percent of their gross receipts derived from the provision of the aforementioned services which have been conducted in the city limits of the City of Peachtree Corners; and

SECTION 2. That these fees are reflective of the current fees as charged by Gwinnett County Georgia.

SO RESOLVED AND EFFECTIVE, this the 29th day of January, 2013.

Approved:

_____
Mike Mason, Mayor

Attested:

_____ Seal
Kymberly Chereck, City Clerk

STATE OF GEORGIA
CITY OF PEACHTREE CORNERS **RESOLUTION R2013-01-04**

A RESOLUTIONS THE CITY OF PEACHTREE CORNERS, GEORGIA

WHEREAS, certain areas of the City of Peachtree Corners are subject to periodic flooding, or flood-related erosion, which has the potential to cause serious damage to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of the Mayor and Council to require the recognition and evaluation of flood or flood—related erosion hazards in all official actions relating to land use in areas having these hazards;

WHEREAS, the Mayor and Council has the legal authority to adopt land use, and control measures to reduce future flood losses pursuant to Article IX, Section II of the Constitution of the State of Georgia.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Peachtree Corners that the City hereby:

Assures the Federal Insurance Administration that it will enact as necessary, and maintain in force in those areas having flood or flood-related erosion hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Part 60 of the National Flood Insurance Program Regulations (CFR44); and

Vests the Mayor and Council for the City of Peachtree Corners with the responsibility, authority and means to:

a. Assist the Administrator, at his request, in his delineation of the limits of the area having special flood, or flood-related erosion hazards.
b. Provide such information as the Administrator may request concerning present uses and occupancy of the floodplain, or flood-related erosion areas.
c. Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map and identify floodplain or flood-related erosion areas and cooperate with related erosion areas in order to prevent aggravation of existing hazards.
d. Upon occurrence, notify the Administrator in writing whenever the boundaries of the Community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all Flood Hazard Boundary Map and Flood Insurance Rate Map accurately represent the community's boundaries, include within such notification a copy of a map of the

community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.

Appoints the Community Development Department for the City of Peachtree Corners to maintain for public inspection and to furnish upon request for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of flood-proofing, and information on the elevation (in relation to mean sea level) of the level of the lowest floor (including basement) of all new or substantially improved structures, and includes whether or not such structures include a basement, and if the structure has been flood-proofed; and

Agrees to take such other official actions, as may be reasonably necessary to carry out the objectives of the program.

SO RESOLVED AND EFFECTIVE, this the ____ day of _____, 2013.

Approved:

_____

Mike Mason, Mayor

Attest:

_____

Kym Chereck, City Clerk

SEAL