

**ORDINANCE 2014-03**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MORROW, GEORGIA, AS IT PERTAINS TO:**

**TITLE 8 - PLANNING AND DEVELOPMENT; CHAPTER 6. SUBDIVISION REGULATIONS, SECTIONS 8-6-3 THROUGH 8-6-7 AS IT PERTAINS TO LOT SUBDIVISION PROCEDURES**

**TITLE 8: PLANNING AND DEVELOPMENT; CHAPTER 6. SUBDIVISION REGULATIONS, SECTIONS 8-6-3 THROUGH 8-6-7**

Remove the current regulations and replace with the following:

**Sec. 8-6-3. Platting jurisdiction; enforcement; opening streets; erection of building.**

- (a) No plat of lands located within the city shall be entitled to record in the office of the Clerk of the Superior Court of Clayton County unless it shall have the approval of the mayor and council inscribed thereon. If two (2) or more lots are being combined, Planning and other pertinent City staff shall conduct an administrative review and final approval shall be obtained by the Mayor and Council. At that time, the applicant can record his/her approved survey plat.
- (b) The mayor and council shall not accept, lay out, open, improve, grade, pave or light any street or lay any utility lines in any street which had not attained the status of a public street prior to the effective date of this chapter, unless the street corresponds to the street location shown on an approved subdivision plat, the Morrow Thoroughfare Plan, or on an official street map adopted by the mayor and council; provided, however, that the mayor and council may accept, layout, open and improve any street not so platted if it first submits the proposed action to the planning and zoning board for its review and recommendation.
- (c) No building permit shall be issued and no building shall be erected on any lot in the city unless the street giving access thereto has been accepted as a public street in accordance with this chapter, or unless the street had attained the status of a public street prior to the effective date of this chapter, or on a street accepted by the mayor and council as herein provided.

(Code 1977, § 7-2003; Ord. No. 99-05, § 1(A), (C), 2-9-99)

**Annotation**—Street dedication, *Young v. Sweetbriar*, 222 Ga. 262, 149 S.E. 2d 474 (1966).

**Sec. 8-6-4. Preapplication review.**

Whenever a subdivision of a tract of land within the city is proposed, the subdivider is urged to consult early and informally with the secretary or a designated member of the planning and zoning board. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed layout and development of the subdivision. No fee shall be charged for the pre-application review and no formal application shall be required.

(Code 1977, § 7-2004)

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**Sec. 8-6-5. Procedure for tentative approval of preliminary plat of subdivision.**

- (a) Following the preapplication review of a proposed subdivision, the subdivider shall submit to the secretary of the planning and zoning board, at least 15 days prior to the next regular meeting of the planning and zoning board, the following:
  - (1) A letter requesting review and approval of a preliminary plat and giving the name and address of a person to whom the notice of the hearing by the planning and zoning board on the preliminary plat shall be sent; and
  - (2) Ten copies of the preliminary plat and other documents, as specified in [section 8-6-7](#)
- (b) The secretary of the planning and zoning board shall check the plat for conformance to the rules and regulations of this chapter and report the findings and recommendations to the planning and zoning board and the mayor and council, who shall arrange a hearing on the preliminary plat, notice of the time and place of which shall be sent by the secretary of the planning and zoning board by mail to the person designated in the letter requesting preliminary plat review and approval, not less than five days prior to the date of the hearing.
- (c) Thereafter, the planning and zoning board shall recommend to the mayor and council their approval or disapproval of the preliminary plat. A notation of the action taken by the planning and zoning board shall be made on two copies of the preliminary plat. A statement by the planning and zoning board concerning their recommendations shall be given to the subdivider or developer or their agent and one copy of the preliminary plat shall be returned to the subdivider or developer showing the suggested and recommended changes of the planning and zoning board. Another copy with the same information thereon shall be made available to the secretary for presentation to the mayor and council for their review which shall take place at the next regularly scheduled meeting of that body. A third copy shall be retained by the secretary for inclusion in the records of the planning and zoning board.
- (d) Approval of a preliminary plat does not constitute approval of a final plat. It indicates only approval of the layout as a guide to the preparation of the final plat. Tentative approval shall expire and be null and void after a period of one year unless an extension of time is approved by the planning and zoning board.
- (e) If action on a preliminary plat is not taken within 30 days of the date of submission, the preliminary plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.
- (f) Approval of the preliminary plat and grading and drainage plans shall constitute authorization to proceed with the installation and construction of all improvements. Provided, however, no installation of improvements shall be made, and no work commenced in connection with said preliminary plat, or subdivision thereof, until the said subdivider shall furnish to the city a bond in a penal sum equal to the full cost of required improvements, as estimated by the mayor and council on recommendation of a designated engineer, conditional upon the completion of required improvements within such reasonable period as may be set by said mayor and council, and a further bond in the penal sum of one-third of such estimated construction cost, for the maintenance of such improvements in their original condition for one year after completion.
- (g) The subdivider shall install improvements in accordance with the preliminary plat, the grading and a drainage plan, and the specifications and standards required by this chapter. The subdivider shall

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notify the designated engineer, and the public works director of the need for inspection as the improvements are constructed and installed. In no case shall the subdivider continue the installation of improvements and construction, if such action would pre-empt inspection by covering improvements before their approval by the public works director or designated engineer. Upon completion of all improvements, the public works director or the designated engineer shall inspect the completed improvements and verify the fact that they have been built to city specifications and standards, and in accordance with the preliminary plat.

(Code 1977, § 7-2005, as amended by Ord. No. 86-06, 8/26/86; Ord. No. 99-05, § 1(D), 2-9-99)

**Sec. 8-6-6. Preliminary plat specifications.**

- (a) The preliminary plat submitted for consideration by the planning and zoning board shall be clearly and legibly drawn at a scale not smaller than 100 feet to one inch for four (4) or more subdivided lots and 50 feet to one inch for three (3) or less subdivided lots.
- (b) Sheet size of preliminary plats shall be 11" x 17" for up to a three-lot subdivision, and 20 x 20 inches for a subdivision of four or more lots. If the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size.
- (c) The preliminary plat shall show ground elevations, based on the datum plane of the U.S. Coast and Geodetic Survey.
  - (1) For land that slopes less than approximately two percent spot elevations shall be shown at all breaks in grade, along all drainage channels or swales, and at selected points not more than 100 feet apart in all directions.
  - (2) For land that slopes more than approximately two percent:
    - a. If the ground slope is regular, contours shall be shown with an interval of not more than five feet; or
    - b. If the ground slope is irregular, contours shall be shown with an interval of not more than two feet; and
    - c. A tie to one or more bench marks shall be shown.
- (d) The preliminary plat shall contain the following information:
  - (1) Name and address of owner of record and of subdivider;
  - (2) Proposed name of subdivision and its acreage;
  - (3) North point and graphic scale and date;
  - (4) Vicinity map showing location and acreage of the subdivision;
  - (5) Exact boundary lines of the tract by bearings and distances;
  - (6) Names of owners of record of adjoining land;
  - (7) Existing streets, utilities and easements on and adjacent to the tract;

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- (8) Proposed layout including streets, sidewalks and alleys with proposed street names, lot lines with approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than single-family dwellings;
  - (9) Block numbers and lot numbers;
  - (10) Provisions for water supply, sewerage and drainage;
  - (11) Minimum building front, side, and rear yard setback lines;
  - (12) Any street cross-sections and center-line profiles as may be required by the city engineer or planning and zoning board; and
  - (13) Minor streets will be included in subdivision plats where applicable.
- (e) Whenever the property proposed for subdivision contains a stream or drainage way and has any area susceptible to flooding once every 100 years or contains areas zoned FP, a grading and drainage plan, prepared by a currently state-registered professional engineer, shall be submitted with the preliminary plat. The plan shall:
- (1) Contain provisions for erosion control measures which will prevent the deposit on private property, public property and streets, or natural drainage ways of site generated waterborne silt and debris during development, construction or use of property.
  - (2) Include a complete hydrologic study to evaluate the total effects the development under review may have upon drainage facilities and systems. It shall include an analysis of storm water runoff under existing site conditions and under proposed developed site conditions. It shall include a determination of the channel cross-section area required to carry the affected stream at the 100 year flood stage level. It shall show provisions to insure conformance with the requirements of this section. It shall show the projected 100 year flood level after the development is completed. It shall include the details of providing and maintaining equivalent flow and storage capacity as required by [section 8-6-10\(k\)](#). The grading and drainage plans shall be approved by the Public Works Director or his designee to insure conformance with all applicable requirements of this chapter and other city code provisions prior to the preliminary plat approval.
- (f) A certificate of tentative approval of the preliminary plat shall be inscribed on the plat as follows:

"Pursuant to the Land Subdivision Regulations of the City of Morrow, Georgia; all the requirements of tentative approval having been fulfilled, this preliminary plat was given tentative approval by the Mayor and Council of the City of Morrow on \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, 19\_\_\_\_\_. This tentative approval does not constitute approval of a final plat. This certificate of tentative approval shall expire and be null and void on \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, 19\_\_\_\_\_."

(date)	Chairperson City of Morrow Planning and Zoning Board
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(Code 1977, § 7-2006; as amended by Ord. No. 86-06, 8/26/86)

**Sec. 8-6-7. Final plat procedure.**

- (a) After the preliminary plat of a proposed land subdivision has been given approval by the Planning & Zoning Board, the subdivider shall have within one (1) year from the approval date to submit all recommended changes back to the Secretary of the Planning+Zoning Board to provide to the mayor and council for final approval. The following shall be required of the subdivider:
- (1) A letter requesting review and approval of a final plat and giving the name and address of the person to whom the notice of the hearing by the mayor and council on the final plat shall be sent.
  - (2) Ten copies of the final plat and other documents, as specified in [section 8-6-5](#) the origin of which shall be drawn in permanent ink on cloth.
- (b) The Secretary of the planning and zoning board shall confer with the appropriate City staff departments to ensure the final plat for conformance with the approved preliminary plat, and with the rules and regulations of this chapter and report the findings and recommendations to the Mayor and Council, which shall afford a hearing on the final plat, notice of the time and place of which shall be sent by the secretary of the planning and zoning board by mail to the person designated in the letter requesting final plat review and approval, not less than five days prior to the date of the hearing.
- (c) Thereafter, the Planning staff and appropriate City staff shall review the final plat and either recommend approval or disapproval to the mayor and council who will further review the final plat and recommendations of the planning and zoning board and approve or disapprove the final plat as presented or modified, to include their own changes. A notation of the action shall be made on the original tracing and two prints of the final plat, including a statement of the reasons therefore if the final plat is disapproved. If action on a final plat is not taken by the mayor and council within 30 days of the date of the submission, the final plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

(Code 1977, § 7-2007, as amended by Ord. No. 86-06, 8/26/86; Ord. No. 99-05, § 1(F), 2-9-99)

**BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF MORROW, GEORGIA, AND BY THE AUTHORITY OF THE SAME, THAT TITLE 8: PLANNING AND DEVELOPMENT; CHAPTER 6. SUBDIVISION REGULATIONS, SECTIONS 8-6-3 THROUGH 8-6-7 BE AMENDED AS STATED HEREIN.**

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ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE ARE REPEALED. APPROVED THIS 27TH DAY OF MAY 2014, BY THE MAYOR AND COUNCIL OF THE CITY OF MORROW.



**JB Burke, Mayor**

Attest:



**Viet Tran  
City Clerk**

(Seal)



- First Reading on May 13, 2014
- Second Reading and Adopted on May 27, 2014