



# Development Regulations

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## ARTICLE 1

### AUTHORITY, TITLE, PURPOSE AND INTENT AUTHORITY

#### 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 the City of Loganville, 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 the City of Loganville.
- 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 of Loganville.
- f) To assure adequate provision of safe and convenient traffic access and circulation, vehicular and pedestrian, in new land developments.
- g) 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 the City of Loganville, 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.

## ARTICLE 2

### DEFINITIONS

#### 2.1 USE OF WORDS AND INTERPERTATION

##### 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" be mandatory and not discretionary.
- d) The word "may" be permissive.
- e) Use of the word "and" is inclusive and requires that all of the component phrases so connected must be present or fulfilled for sufficiency.
- f) Use of the word "or" is not exclusive (as in "either or"), and requires that at least one of the component phrases so connected must be present or fulfilled for sufficiency. The word "or" may allow more than one component phrase to be present or fulfilled, as is implied by the common term "and/or."

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

- a) Words and phrases defined in this article shall be interpreted as defined herein.
- b) Words or phrases not defined herein shall be interpreted as defined in the Zoning Ordinance (Chapter 119) of the City of Loganville, or as defined in the City's Soil Erosion and Sediment Control Ordinance (Chapter 113), Stream Buffer Protection Ordinance (Chapter 117), Stormwater Management Ordinance (Chapter 115), or the Floodplain Management and Flood Damage Prevention Ordinance (Chapter 107), as applicable to the use of the word within the context of these Regulations. (*Amended 03/12/2020*)
- c) Words not defined herein or in the Zoning Ordinance or any other applicable code, regulation, or ordinance of the City of Loganville shall be construed to have the meaning given by common and ordinary use, and shall be interpreted within the context of this sentence, section, and article in which they occur. (*Amended 03/12/2020*)

#### 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 street that is used primarily for fast and heavy traffic flow, is of considerable continuity, and is used as a traffic artery for interconnection among large areas. (*Amended 03/12/2020*)

"As-Built" Survey - See Record Drawing.

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

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

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

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

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 20, 2002, 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 the City of Loganville and recorded with the Clerk of Superior Court of Gwinnett County and/or Walton County, depending on which county the parcel is located within. (*Amended 03/12/2020*)

Building Setback Line - A line across a lot parallel to a street right-of-way or other property line establishing the minimum open space to be provided between any principal building and the street or other property line. All building setback lines shall be at least as restrictive as the corresponding minimum yard setbacks required in the Zoning Ordinance. On corner lots, the minimum required front yard setback shall be provided along all abutting streets. (*Amended 03/12/2020*)

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.

City - The City of Loganville, Georgia.

City Council - The City Council of the City of Loganville, Georgia.

City Engineer - Person or Entity designated by the City Council to provide professional engineering consultations or advice for the City. (*Amended 03/12/2020*)

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 City Council regarding the future location and character of anticipated land uses, transportation, and other public facilities in the City of Loganville. 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).

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.

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

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

Department - The Department of Planning and Development of the City of Loganville.

Department of Transportation - The Georgia 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 the City 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 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 two 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 City of Loganville 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 division of the Loganville Fire Department that is responsible for the enforcement of the City's Fire Safety Standards, the State Minimum Fire Safety Standards, and the Accessibility Standards.

Fire Services - A division of the Loganville Fire Department that is responsible for the enforcement of the City and State Fire Safety Standards and Accessibility Standards.

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 Hazard Area - See Floodplain.

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

Flood Related Definitions - See the Floodplain Management and Flood Damage Prevention 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 Stormwater Management Manual - The manual as published by ARC and prepared by multiple agencies including Atlanta Regional Commission, Georgia EPD, GEFA, EPA, and other Georgia Cities to provide guidance and best management practices for natural resource protection, stormwater management, and site design, latest edition. (Also referred to as GSMM or the "Blue Book") (*Amended 03/12/2020*)

Georgia DOT - The Department of Transportation of the State of Georgia. (*Amended 03/12/2020*)

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 or Walton County.

House Location Plan (HLP) - A drawing showing lot information and all improvements, as outlined in Article 6 and Article 10.

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 the Department 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 Loganville Planning Commission.

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

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

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

Project Access Improvement - Any improvement or facility that is planned and designed to provide service or access for a particular project and which is necessary for the use and convenience of the occupants or users of the project and is not a System Improvement.

A Project Access Improvement includes but is not limited to: pedestrian access improvements; site driveways; new streets; median cuts; right turn lanes, left turn lanes, acceleration lanes, and deceleration lanes made necessary to serve site driveways or new streets leading to or from the project; traffic control measures made necessary to serve site driveways or new streets; intersection improvements whose primary purpose at the time of construction is to provide access to the Project; and, necessary right-of-way dedications required for any Project Access Improvement.

Public Utilities Department - The City of Loganville Department of Public Utilities, which includes the maintenance and control of the wastewater collection system, the potable water distribution system, and the roadway and storm drainage system.

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).

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.

Standard Drawings - Illustrations of the minimum acceptable standards for land development activities authorized under the City of Loganville Development Regulations. These standards shall not supersede the more restrictive prudent design requirements or good engineering practices as applied to specific situations on a case-by-case basis. Unless otherwise specified on these standard drawings or in the Development Regulations, all construction shall meet or exceed the minimum standards established by the Georgia Department of Transportation. *(Amended 03/12/2020)*

Storm Water Design Manual - The Georgia Stormwater Management Manual. *(Amended 03/12/2020)*

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 the City of Loganville, Walton County or Gwinnett County for vehicular traffic or over which these entities 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.

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 City of Loganville Department of Transportation, or his/her designee. Position to be filled by the City Engineer until staffed otherwise.

Traffic Impact Study - A study that estimates site-generated traffic and assesses its impact on the public street system and on the overall

development. A Traffic Impact Study also identifies on-site and off-site improvements that might be needed as a result of the development.  
(Amended 03/12/2020)

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

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

Tree Protection Area - Any portion of a site wherein are located existing trees which are proposed to be retained in order to comply with the buffer requirements of the Zoning Ordinance. (Amended 03/12/2020)

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 Zoning Ordinance, as well as methods of tree protection to be undertaken on the site and other pertinent information. (amended 03/12/2020)

Walton County Bridge & Roads Department - The Department of Transportation of Walton County, Georgia.

Water Quality Control - A City department charged with the responsibility for the maintenance and operation of the wastewater treatment facility.

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

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 Ordinance - The adopted Zoning Ordinance of the City of Loganville, 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 City of Loganville 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 the City and to cause such dedications to be recorded by the Clerk of Superior Court of Gwinnett or Walton County, subject to ratification by the City Council.
- 3.3           **TRANSFER OF LAND OWNERSHIP**
- 3.3.1       No person, firm, partnership, association, corporation, estate, trust, developer, subdivider or any other owner or agent shall transfer title or attempt to record the title to any land in the City, and no building permit may be issued on said land, unless:
- a) Said land existed as a single parcel of ownership, recorded as such in its entirety and present boundaries with the Clerk of Superior Court of Gwinnett or Walton County prior to the JUNE 20, 2002 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 with the Clerk of Superior Court of Gwinnett or Walton County; or,
  - c) Said land is shown in its entirety and present boundaries on a plat authorized by the director and recorded with the Clerk of Superior Court of Gwinnett or Walton County 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       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 or Walton 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 or Walton County and grant the issuance of building permits pursuant to the Codes and Ordinances of the City of Loganville.

#### 3.4.2

##### Recombination's

The combination or recombination of all of two or more buildable lots of record, where the total number of lots is not increased and the resultant lots or parcels are in compliance with the Zoning Ordinance. An Exemption Plat shall not be required for aggregations of properties for land assembly purposes where no building permit will be requested prior to issuance of a development permit. *(Amended 03/12/2020)*

#### 3.4.3

##### Minor Subdivisions

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 Ordinance and is limited to single family detached residential use. *(Amended 03/12/2020)*
- 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 and these Development Regulations are provided at no cost to the City. *(Amended 03/12/2020)*
- d) Each lot thus created may not be resubdivided pursuant to the provisions of this subparagraph. Such resubdivisions 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 appropriate 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 and these Development Regulations. (*Amended 03/12/2020*)
- (2) Each proposed lot shall provide at least 100 feet of frontage upon the street, shall provide at least 200 feet of lot width measured in accordance with the requirements of the Zoning Ordinance, and shall meet or exceed all other minimum requirements of the applicable single family detached residential zoning district. (*Amended 3/12/2020*).
- (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 and these Development Regulations. (*Amended 03/12/2020*)
- (4) 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 and these Development Regulations. (*Amended 03/12/2020*)
- (5) No lot thus created may be resubdivided to less than 5 acres as an
- (6) Each proposed lot shall comply with the requirements of the Department of Public Utilities and the appropriate 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 Ordinance, and shall meet or exceed all other minimum requirements of the applicable single family detached residential zoning district. (*Amended 03/12/2020*)
- (3) No lot thus created may be re-subdivided 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 Ordinance. *(Amended 3/12/2020).*

#### 3.4.6

##### Amnesty Lots

The designation of a lot as a buildable lot of record if the lot was recorded before June 20, 2002 (the prior effective date of these Regulations) but not reviewed and approved under the provisions of the Subdivision Regulations in effect at that time, provided:

- f. 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.
- g. The lot meets all requirements of the Zoning Ordinance, and the applicant demonstrates to the satisfaction of the Director that approval of the lot will not create nonconformity to the requirements of the Zoning Ordinance on any other portion of the original property from which the lot was subdivided. *(Amended 03/12/2020)*
- h. The lot abuts upon an existing public street.
- i. 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 and these Development Regulations is provided at no cost to the City. *(Amended 03/12/2020)*
- j. The lot shall comply with the requirements of the Department of Public Utilities and the appropriate Environmental Health Department, as appropriate, whose certification of approval shall be required prior to approval of the Exemption Plat by the Director.
- k. 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

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 for the construction of an individual single-family detached or duplex residence on a buildable lot of record.

##### 4.1.2 Plan Review and Approval

Any developer of land within the City of Loganville 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 the City of Loganville 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 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.

##### 4.1.4 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

##### 4.1.5 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 the City of Loganville 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 the City of Loganville 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

#### a. Clearing Permit:

- (1) A permit limited to clearing only with no grubbing or other land disturbance (as defined in the Georgia Soil Erosion and Sedimentation Act) may be issued upon identification of the property, the limits of the area to be cleared and the type of activities to be undertaken, and approval of a Tree Preservation/Replacement Plan as may be required under the Zoning Ordinance. All clearing activities are to be consistent with the provisions of these Regulations, the Soil Erosion and Sediment Control Ordinance, the Zoning Ordinance and any conditions of zoning approval. *(Amended 03/12/2020)*
- (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 submittal and first review of a Preliminary Plat and approval of an erosion and sedimentation control plan and an approved Tree Preservation/Replacement Plan (if required) for the development. Appropriate soil erosion and sedimentation controls and tree protection measures shall be placed and maintained as required.
- (2) A permit for clearing and grubbing shall expire unless activities are commenced within 60 days of issuance of the permit or if activities lapse and the project is abandoned for a period exceeding 14 calendar days.
- (3) A clearing and grubbing permit shall be limited to the removal of vegetation and stumps and the placement of required tree protection measures and soil erosion and sedimentation facilities, and may authorize the removal of existing structures on the property at the option of the developer. No grading or construction activities may be started under a clearing and grubbing permit. The approval of a clearing and grubbing permit shall not imply the approval of or authorization to construct any improvements, buildings, or other structures on the property.

c. Grading Permit:

- (1) A grading permit which may include clearing and grubbing, may be issued only upon approval of a Preliminary Plat or Site Development Plan as provided under Article 10 of these Regulations. A grading permit may also be issued for earth borrow, 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 Zoning 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 days of issuance of the permit or if activities lapse and the project is abandoned for a period exceeding 14 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 and sanitary sewer system improvements shall also be authorized by the Loganville Public Utilities Department. (*Amended 03/12/2020*)

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 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 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 30 calendar days. Provided, however, that the Director may approve one extension not exceeding three months within which time development activity must commence or the permit shall expire. Said extension shall be applied for within the first 12 consecutive calendar months after the permit's issuance.

d. Lapse in Construction Activity

For the purposes of these Regulations, a lapse in our suspension of development activity as authorized by a development permit, as a direct result of action or inaction on the part of the City of Loganville 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 of 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 the City of Loganville.

### 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. For such lots, a Certificate of Occupancy shall not be issued until conformance to the HLP, RDP, or RDS has been field verified by the Department as shown on a certified foundation survey prepared by Registered Land Surveyor. (See Article 6 for plan and study specifications.)

#### 4.3.4 Swimming Pools

Issuance of a building permit for a swimming pool as an accessory use to a single or two-family residence, whether to be issued at the same time as or subsequent to the permitting or construction of the house or duplex, shall first require approval of a Swimming Pool Location Plan. The plan shall show the proposed location of the swimming pool and enclosing fence relative to the residence, the property boundaries, setback lines, septic tank and septic tank drain field (if any), and any easements on the site, and shall comply with all requirements of the Zoning Ordinance and Swimming Pool Code. Based on site conditions, a Residential Drainage Study (RDS) may also be required prior to issuance of the building permit. A Certificate of Occupancy shall not be issued until conformance to the Swimming Pool Location Plan (and to provisions of the RDS, if applicable) has been field verified by the Department. (*Amended 03/12/2020*)

#### 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 re-review 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 appropriate 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 the City of Loganville 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 Director.
  - 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 Department for a building to be served by public sewer shall be required prior to issuance of any building permit.
  - 5) Construction of the required public improvements shall proceed concurrently with construction of the buildings.
  - 6) No Certificate of Occupancy shall be approved for any structure within the subdivision prior to recording of the Final Plat without the express approval of the Director.
  - 7) The Director shall have found that the public interest is best served and that a public purpose is involved in the acceptance of the performance bond.
- c. In fee-simple townhouse subdivisions, a building permit may be issued on a buildable lot of record established for each building (containing any number of townhouse dwelling units) through recording of a Final Plat following completion of all required public improvements. Upon completion of the buildings, the Final Plat shall be rerecorded to establish individual lots for the townhouse units, based on their actual locations, prior to issuance of Certificates of Occupancy.

## ARTICLE 5

### GENERAL REQUIREMENTS

#### 5.1 SUITABILITY OF THE LAND

##### 5.1.1 Unsuitable Land May Not Be Developed

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

##### 5.1.2 Unsuitable Land Must Be Included in Buildable Lots

- a. Land within a proposed subdivision or development which is unsuitable for development shall be incorporated into the buildable lots as excess land. Lots which do not comply with the requirements of the Zoning Ordinance are prohibited. (Amended 03/12/2020)

- b. Exceptions:

- (1) Signage of landscape features

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

- (a) The lot shall be located at an entrance to the subdivision as an "island" in the right-of-way of a local or minor collector street; and,
    - (b) A mandatory homeowner's association shall be required for the subdivision for ownership and maintenance of the lot as common area; and,
    - (c) The lot shall meet the requirements of the Zoning Ordinance or as may be approved by a zoning variance; and,
    - (d) Right-of-way of a minimum width of 6 feet from back of curb shall be provided adjacent to the perimeter of the lot.

- (e) Landscape plantings within the right-of-way shall not extend more than 3 feet above the street grade. (Amended 03/12/2020)

- (2) Detention Facilities

- The creation of an unbuildable lot for the exclusive purpose of providing and maintaining a wet or extended detention facility is authorized.

5.2 OFFERS OF LAND DEDICATION

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

5.3 ZONING AND OTHER REGULATIONS

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

- 5.3.2 Building setback lines shall at least conform to the minimum yard requirements of the Zoning Ordinance. Building setback lines along all public streets shall be no less than the front yard setback required on the property by the applicable zoning district in the Zoning Ordinance.  
(Amended 03/12/2020)

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 the City of Loganville. Said improvements and associated lands shall be provided at no cost to the City, 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 shall at least conform to requirements of the Zoning Ordinance.  
(Amended 03/12/2020)

- 5.5.2 Double frontage and reverse frontage lots shall be required for residential subdivisions along major thoroughfares where internal access can be provided. A no-access easement of at least ten feet in width, across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery.

When located along a major thoroughfare, the no-access easement shall be planted and/or screened as required by the Zoning 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. *(Amended 03/12/2020)*

## 5.6 SURVEY MONUMENTS

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

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

## 5.7 STANDARD DRAWINGS

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

5.7.2 The Standard Drawings shall illustrate minimum acceptable standards for land development activities authorized under these regulations, but shall not supersede more restrictive prudent design requirements or good engineering practice as applied to specific situations on a case-by-case basis. *(amended 03/12/2020)*

5.7.3 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 Zoning Ordinance or conditions of zoning special use or variance approval to provide a buffer or other specific landscaping shall do so in compliance with the standards included in the Zoning Ordinance and this Section. *(Amended 03/12/2020)*

- a) For any such property, a Buffer and Landscape Plan shall be prepared by those individuals as required and authorized by the Zoning 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 Zoning 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 Zoning 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 Zoning Ordinance.
- e) New plantings in buffers shall be selected for natural survival expectancy for the City of Loganville environment and for their ability to meet the screening standards established in the Zoning Ordinance.
- f) Landscape areas or strips shall include trees and shrubs to the extent required by the Zoning Ordinance or conditions of zoning, special use or variance approval. Plant materials may be grouped or arranged so as to achieve aesthetic results following professional landscaping standards, provided sight distances as required by these Regulations are preserved.  
*(Amended 03/12/2020)*
- g) Tree plantings required by the Zoning 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 Zoning 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 the City of Loganville.
- 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, 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 swimming pool and one 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 the City of Loganville 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 by the Developer. Failure to construct or complete the approved facilities shall cause the land to be dedicated to the City of Loganville.
- 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. The City of Loganville 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 City Council.

## 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 City Council.

c. Maintenance

The property owner, or the property owner's association, shall be responsible for the maintenance of open space. Open space shall be kept in reasonable order and condition and shall be maintained free from refuse, junk and debris.

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 all 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:

5.10.4 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 (mark 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. 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.

5.11 SUPPLEMENTARY DEVELOPMENT REQUIREMENTS  
(Amended 03/12/2020)

5.11.1 All outside storage will be required to be screened with fencing and landscaping.

5.11.2 Any construction site shall contain a permanent or portable restroom facility, apparatus, building, or other structures which shall serve said project and the individuals working thereto during the course of development and construction of said project or until a permanent facility is present and functioning. Failure to house said structure on site shall be grounds to deny said building permit or issuance of a cease work order by the City Building Inspector.

5.11.3 All new commercial sites within the corporate limits of the City of Loganville shall use the City's franchiser in respect to storage and removal of disposable waste, including but not limited to, dumpsters and outdoor trash receptacles. Failure to comply with the above shall be grounds to deny said building permit or deny a Certificate of Occupancy for said structure.

5.12 TRAFFIC IMPACT STUDY (Amended 03/12/2020)

5.12.1 A Traffic Impact Study shall be required for all new developments projected to generate 100 new trips to the adjacent street network during the peak-hour of the adjacent street traffic. The Traffic Impact Study for the development shall have a statute of limitations of five (5) years. If the property is developed following the five (5) year statute of limitations, the Traffic Impact Study will be required to be updated.

5.12.2 The Traffic Impact Study shall contain the following information:

- a. State the purpose and scope of the report and identify the study area of the project.
- b. State all assumptions used in analysis and refer to and/or include all supporting documents used to prepare the report. Describe, in detail, proposed land use type(s) and size(s).
- c. Identify number, location and type of proposed access drive(s) to the development site.
- d. Evaluate intersection sightline distances from proposed driveways.
- e. Provide a detailed summary of data collection efforts and results.

- f. Estimate number of trips generated by the development site.
- g. Identify most critical analysis period.
- h. Determine anticipated directional distribution of site-generated traffic.
- i. Intersection assignment of site traffic including through and turning movements.
- j. Internal circulation of site traffic and parking.
- l. Need for turning lanes or bypass options at proposed driveway location(s).
- m. Traffic control needs and warrants.
- n. Determine anticipated future non-site (background) traffic volumes.
- o. Identify other "nearby approved" developments within the study area.
- p. Evaluate "existing + site + nearby approved developments" traffic operating conditions to assess cumulative impact of traffic for pre-specified target year.
- q. Recommend on-site and/or off-site road improvements for each traffic conditions separately (i.e. "existing", "existing + site", "existing+ site+ nearby approved developments", and "future long-term").
- r. Address percent contribution to off-site road improvements by individual development sites (i.e. proposed and other nearby development site), based on number of new trips each and every one of these development sites generate and add to adjacent street network primarily during critical peak- hour.
- s. Include findings and recommendations to assist City officials with their decision making in regards to approval of the development.

5.12.3 The Traffic Impact Study shall be prepared by a third- party entity and shall be sealed and signed by a Professional Engineer (P.E.) registered in the State of Georgia.

5.12.4 At the discretion of the City, the requirement for a Traffic Impact Study for a development may be waived.

## ARTICLE 6

### ACCESS AND RIGHT-OF-WAY REQUIREMENTS; AND STREET IMPROVEMENT AND CONSTRUCTION REQUIREMENTS

#### 6.1 ACCESS

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

6.1.2 No subdivision shall be designed so as to completely eliminate street access to adjoining parcels of land. Every development shall be designed to facilitate access to adjoining properties which are developed or anticipated

to be developed in a manner substantially similar to the subject property. Locations of interparcel access shall be as required by and subject to the approval of the Department.

- 6.1.3 Any lot required to provide minimum frontage by the zoning district in which the lot is located shall provide vehicular access directly from a public street along the frontage or along any other property line which abuts a public street, except as provided in Section 6.1.5.
- 6.1.4 Private streets as may be approved under the provisions of the Zoning Ordinance shall be constructed to the roadway construction standards of the City of Loganville, as contained herein. (*Amended 03/12/2020*). Private street rights-of-way must be owned and maintained by a mandatory homeowners' association. Street rights-of-way must comply with all the requirements set forth in this Code, including, but not limited to, the requirements set forth in this chapter and in the City zoning ordinance. An access easement and a utility easement must entirely overlay the rights-of-way and must be dedicated to the City for public use. All applicable setbacks, lot widths and lot areas must be measured from the homeowners' association right-of-way. (*Amended 8/8/2024*).
- 6.1.5 Vehicular access easements may be provided from a public street indirectly via easement in any one or more of the following circumstances:
- a. The property is not required to provide a minimum frontage by the applicable zoning district, provided that the easement shall be in a location and the access driveway shall have a width and alignment acceptable to the Fire Services Division and the Department.
  - b. The property is a buildable lot of record, as defined herein, but does not meet the minimum frontage requirement of the applicable zoning district. The property must be served by an exclusive access easement which shall be limited to the provision of access to only one principal use or structure.
  - 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 the City of Loganville 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 the City of Loganville. All new private roadways must be constructed to the roadway standards of these Development Regulations, and their ownership and maintenance responsibility by private party(s) must be clearly established on the Final Plat of the development.

- f. The access easement serves a buildable lot of record which meets the minimum frontage requirements of the Zoning Ordinance, but at which point the access is not achieved.  
(Amended 03/12/2020).

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 indicated herein or as otherwise required by the City. (Amended 03/12/2020)

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 and in the City of Loganville Roadway Design & Construction Standard Specifications. Roadway improvements shall be in accordance with the street classifications as indicated herein, or the Zoning Ordinance, as applicable, or as otherwise required by the Mayor and City Council.  
(Amended 03/12/2020)

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 the following Table 6-A.

| TABLE 6-A<br>MINIMUM RIGHT-OF-WAY AND ROADWAY WIDTHS FOR NEW<br>STREETS AND PROJECT ACCESS IMPROVEMENTS |                             |  |
|---|-----------------------------|--|
| STREET CATEGORY   | MINIMUM RIGHT-OF-WAY<br>(1) | MINIMUM<br>ROADWAY (2)                 |
| <u>PRINCIPAL ARTERIAL</u>   | 120' TO 150'                | 6 THROUGH<br>LANES WITH<br>MEDIAN      |
| <u>MAJOR ARTERIAL</u>   | 100' TO 120'                | 67'                                    |
|   |                             | 4 TO 6<br>THROUGH LANES<br>WITH MEDIAN |
| <u>MINOR ARTERIAL</u>   | 80' TO 100'                 | 52' TO 66'                             |
|   |                             | 4 THROUGH<br>LANES WITH<br>MEDIAN      |
| <u>MAJOR COLLECTOR</u>  | 80'                         | 52'                                    |

|  |            |            |
|--|------------|------------|
| MINOR COLLECTOR  | 60' TO 80' | 28'        |
| LOCAL STREET<br>NONRESIDENTIAL<br>NONRESIDENTIAL CUL DE-SAC  | 60' (3)    | 32'        |
|  | 60' RADIUS | 50' RADIUS |
| LOCAL STREET<br>RESIDENTIAL - URBAN<br>RESIDENTIAL – URBAN<br>CUL DE-SAC   | 60'        | 28'        |
|  | 60' RADIUS | 50' RADIUS |
| LOCAL STREET<br>RESIDENTIAL - RURAL (4)<br>RESIDENTIAL - RURAL<br>CUL-DE-SAC (4)   | 60'        | 24' (5)    |
|  | 60' RADIUS | 50' RADIUS |
| <p style="text-align: center;">FOOTNOTES:</p> <p>1) The greater right-of-way width shall apply under circumstances as described in Section 6.3.2 (c. I.</p> <p>2) Roadway width dimensions are back-of-curb to back-of-curb except where noted.</p> <p>3) Utility easement shall be provided in a location and size as required by the Department of Public Utilities.</p> <p>4) Subdivisions zoned R-44.</p> <p>5) Measured to edge of pavement, curb and gutter is not required in subdivision zoned R-44.</p> |            |            |

*(Amended 03/12/2020)*

### 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 indicated herein or as otherwise required by the City and as contained in these Regulations.  
*(Amended 03/12/2020)*
- 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, the

proposed road shall be accommodated in to the development plans of the property in accordance with Article 5 of these Regulations. These right-of-way requirements shall govern except where there exist clearly defined plans of the State of Georgia or the City of Loganville which require additional rights-of- way. In that case, the greater right-of-way requirements shall govern. (*Amended 03/12/2020*)

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 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 the City of Loganville at no cost. Associated drainage improvements as deemed necessary by the construction of the deceleration lane shall also be required.
- d. Other Project Access Improvements may be required by the Department upon the recommendation of the Department of Transportation in order to ensure adequate site access, pedestrian access, convenience and safety to the motoring public.
- e. The developer shall be responsible for the relocation of public or private utilities and drainage structures, as may be occasioned by the required Project Access Improvements.

6.3.4 Project Access Improvements Multi-Family 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 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 the City of Loganville at no cost. Associated drainage improvements as deemed necessary by the construction of the deceleration lane shall also be required.
- d. Other Project Access Improvements may be required by the Department upon the recommendation of the Department of Transportation in order to ensure adequate site access, pedestrian access, convenience and safety to the motoring public.
- e. The Developer shall be responsible for the relocation of public or private utilities and drainage structures as may be occasioned by the required Project Access Improvements.

#### 6.3.5

##### New Streets

- a. All new streets proposed to be constructed in a subdivision or other development, whether to be public or private, shall be designed and constructed at least to the standards contained in the City of Loganville Roadway Design & Construction Standard Specifications in accordance with the category of said streets.  
*(Amended 03/12/2020)*
- 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 shall initiate acquisition proceedings, at the expense of the Developer, after authorization by the Mayor and City Council.

#### 6.3.7

##### Improvements along State Highways

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

#### 6.4

##### GENERAL LAYOUT REQUIREMENTS

#### 6.4.1

##### Conformance

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

#### 6.4.2

##### Local Streets and Minor Collectors

Local streets shall be so laid out that their use by through traffic will be discouraged. Minor collectors shall be provided to channel through traffic movements within a development, where appropriate to the design and a 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 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 pavement 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 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 (*amended 03/12/2020*)
- 6.5.1 Traffic Control Signs
- Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 8.1.
- 6.5.2 Street Name Signs
- Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 8.2.
- 6.5.3 Traffic Signals and Signs
- Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 8.3.
- 6.5.4 Striping Requirements
- Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 8.4.
- 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 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 Department. The Department shall prepare a street light design drawn on the Preliminary Plat based upon the City's street light 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 City for payment after the first year which shall be paid for by the Developer.

## 6.6 SPECIFICATIONS

Unless otherwise specifically set forth in the City of Loganville Roadway Design & Construction Standard Specifications, 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). (*Amended 03/12/2020*)

## 6.7 SUBGRADE PREPERATION FOR ALL STREETS (*Amended 03/12/2020*)

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 9.0.

## 6.8 ROAD WIDENING (*Amended 03/12/2020*)

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 10.0.

## 6.9 NEW LOCAL AND MINOR COLLECTOR STREETS (*Amended 03/12/2020*)

### 6.9.1 Local and Minor Collector Streets within a Residential Subdivision

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 11.1.

### 6.9.2 Local Residential-Rural Streets

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 11.2.

### 6.9.3 Nonresidential Subdivision or Development Streets

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 11.3.

## 6.10 NEW MAJOR THOROUGHFARES (*Amended 03/12/2020*)

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 12.0.

6.11 CURB AND GUTTER

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

6.11.2 Residential Curbing (*amended 03/12/2020*)  
Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 13.1.

6.11.3 Industrial or Commercial Curbing (*amended 03/12/2020*)  
Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 13.2.

6.11.4 Principal Arterial and Major Arterial Curbing (*Amended 03/12/2020*)  
Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 13.3.

6.11.5 Curbing not in Public Right-of-Way (*Amended 03/12/2020*)  
Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 13.4.

6.11.6 Construction Methods (*Amended 03/12/2020*)  
Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 13.5.

6.12 UNDERGROUND UTILITIES (*Amended 03/12/2020*)  
Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 14.0.

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 the Loganville Roadway Design & Construction Standard Specifications and any state or federal regulation, then the most restrictive shall apply. (*Amended 03/12/2020*)

6.13.1 Sidewalk Installation & 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 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 Project Sidewalks shall be installed on new internal streets (both sides including cul-de-sac and "eyebrow" turnarounds) and on abutting external streets (abutting side) prior to the issuance of a Certificate of Occupancy.

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 City if proposed road improvements by the City or County may impact the location of a sidewalk.

6.13.2 Sidewalk Designs & Construction Standards (*Amended 03/12/2020*)  
Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 15.3.

6.13.3 Sidewalk Curb Ramp Design & Construction Standards  
(*Amended 03/12/2020*)  
Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 15.3.

- 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 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 the City of Loganville, as illustrated in the Standard Drawings.
- 7.1.2 No other underground utilities, such as private lawn sprinkler systems, yard lighting, etc., shall be installed within a public right-of-way or easement except by authorization of the Department. Such authorization, if issued, shall require the applicant to assume all repair costs of the applicant's facilities should they be damaged during the course of installation, maintenance or repair of any roadway facilities or any of the public utilities authorized to occupy said right-of-way or easement. *(Amended 03/12/2020)*

#### 7.2 WATER SYSTEM AND FIRE HYDRANTS

- 7.2.1 The developer shall install or have installed a system of water mains connected to a public water supply system in accordance with the requirements of the authority having jurisdiction.
- 7.2.2 For water system service connections, an individual water service connection assembly shall be supplied from the public water supply system to serve each individual dwelling unit or structure needing water service on private property, unless otherwise approved by the City. All service connections shall be made in accordance with the requirements stated in the City's standard specifications. *(Amended 03/12/2020)*
- 7.2.3 All water mains, fire hydrants and appurtenances shall be designed in accordance with the policies, standards, plans and specifications of the Gwinnett County Fire Prevention Ordinance and the City of Loganville water system standards and specifications. Where jurisdiction resides with the City of Loganville Water System, the public water mains and appurtenances shall be designed and shown with the submittal of the Development Plans for the project. *(Amended 03/12/2020)*
- a. Each fire hydrant shall be capable of providing a minimum flow

of 1,000 gallons per minute (GPM) at 20 pounds per square inch (psi) residual pressure. Verification of water flow and pressure availability at the development shall be provided prior to permit approval with a report of hydrant test results conducted in accordance with NFPA 291, Fire Flow Testing and Marking of Hydrants. Prior to issuing a certificate of occupancy, a second hydrant test report conducted per NFPA 291 shall be provided after completion of the system improvements to show compliance with the above minimum flow and pressure.

- 7.2.4 Within the City of Loganville 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 Department 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. (*Amended 03/12/2020*)

### 7.3 SANITARY SEWER DISPOSAL

- 7.3.1 Connection to an approved sewage disposal system shall be made, which may require the construction of an on-site system or the extension of public sanitary sewerage and associated appurtenances, as required under the Chapter 34 - Utilities Ordinance of the City of Loganville or as required by the Gwinnett or Walton County Health Department.
- 7.3.2 No septic tanks shall be allowed if public sewer is available. All structures shall connect to public sewer when such sewer is available, in accordance with the Sewer Regulations of the City of Loganville. Sewer availability shall be determined by the Department.
- 7.3.3 Lots with septic tanks and tile drain-field sewerage disposal systems shall contain the contiguous area outside of the 100-year floodplain as required by the Health Department.
- 7.3.4 The Health Department may require notation that certain lots must meet additional requirements prior to issuance of a building permit, or otherwise limit development relative to Health Department regulations.
- b. 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.,
  - c. 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 City of Loganville for connection to sanitary sewer required prior to issuance of a building permit."

#### 7.4 EASEMENTS

- 7.4.1 Temporary construction easements and permanent easements for public utilities, drainage or other public facilities shall be dedicated to the City of Loganville 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 Drainage easements are required for any part of the drainage system which is designed to carry storm water runoff from more than one parcel, existing or proposed. Drainage easements for improved ditches, pipe construction, and detention facilities shall be cleared, opened, and stabilized at the time of development to control surface water run-off (See also Article 8). Run-off slope and side slopes 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 (next page), 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 Department to determine what additional requirements may be required. If concrete pipe is used, the minimum easement width shall be 20 feet. In addition to the minimum easement widths established in Table 7-A, an additional building setback distance of 5 feet shall be provided on all sides of the drainage easement. The setback shall be shown on the plans. Where the easement contains two or more drainage lines in the same easement, an additional building setback distance of 10 feet shall be provided on all sides of the permanent easement. (*Amended 03/12/2020*)

TABLE 7-A  
EASEMENTS FOR STORM DRAIN PIPES

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

7.4.3 Permanent sanitary sewer easements shall be no less than 20 feet in width when no other parallel utilities are located therein. When warranted, temporary construction easement widths shall be determined by the Department. An additional building setback distance of 5 feet shall be provided on all sides of the permanent sanitary sewer easement. Where the easement contains two or more utility lines in the same easement, an additional building setback distance of 10 feet shall be provided on all sides of the permanent easement. (*Amended 03/12/2020*)

7.4.4 A common easement for sanitary sewer and drainage purposes may be allowed if the pipes are parallel and at least 10 feet is provided between pipes (on center). The easement width shall be equal to the width shown in Table 7-A plus the width distance separating the pipes (minimum of 10 feet). An additional building

setback distance of 10 feet shall be provided on all sides of the common easement for sanitary sewer and drainage purposes. (*Amended 03/12/2020*)

- 7.4.5 Drainage easements shall be provided where a development is traversed by or contains a water course, impoundment, detention facility, improved channel, floodplain, natural stream or channel. It shall conform substantially to the flooding limits of the 100-year storm based on fully developed conditions, but shall be no less than 20 feet in width. If a residential subdivision is provided with on-site drainage easements, not located inside the City's right-of-way, a property owners' association shall be established for its ownership and maintenance. Each drainage easement, not located in the City's right-of-way, shall be located on property owned and maintained by the property owners' association, and each lot containing a drainage easement shall have a minimum of 30 feet of public road frontage and a minimum lot width of 30 feet. The property owners' association's bylaws shall be recorded concurrently with the recording of a final subdivision plat. The association's bylaws shall include the same provisions as specified in Subsection 5.9.2, Paragraph b. of this regulation. (*Amended 02/08/2024*)
- 7.4.6 Drainage and utility easements off the street right-of-way shall be clearly defined on the Final Plat or Boundary Survey Plat. Such easements are for ingress and egress to reach facilities and for the purposes of installing, servicing, replacing, repairing, removing, maintaining, and improving the drainage facility or underground utility uses as determined by the City. The property owner will be required to keep the drainage 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. Permanent structures, except paved driveways, shall not be constructed or erected in an easement or any part thereof 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; however, the City is not responsible for replacing the landscape material located in the easement when it is removed to maintain, repair, replace, remove, or improve the drainage facility or utility. The City is not responsible for replacing or repairing existing structures or structure damage located in the easement when it is removed to maintain, repair, replace, remove, or improve the drainage facility or utility.
- 7.4.7 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.
- 7.4.8 Permanent utility easements for above ground facilities (pad mounted transformer, telephone cable pedestal, cable TV junction box, etc.) of power and communications utilities shall be provided outside of the street right of way line at the intersection with all side lot lines of the property with the street right of

way. Easements shall be not less than six feet wide by six feet deep on each property so that the combined easement area on each side lot line shall be twelve (12) feet wide by six (6) feet deep centered on the side lot line abutting the right of way line. *(Amended 03/12/2020)*

## 7.5 STREET CUTS

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

7.5.3 If approved, all trenches shall be backfilled and compacted the same day the trench is opened.

a. See Stand Specifications Section 312000, Trenching and Backfilling for trench compaction and field quality control test requirements. *(Amended 03/12/2020)*

7.5.4 All trenches under paving shall be concreted with 8" of Class "A" concrete base and 1 ½ inch of 9.5mm or 12.5mm Superpave wearing course asphalt is to be spread. (See Roadway Design & Construction Standard Specifications, Table 6 under Section 12 for wearing course requirements) *(Amended 03/12/2020)*

a. The paving cut shall be widened to a minimum of 9" beyond the edges of the trench. See Standard Drawing sheet 502.

b. The edges of the paving cut shall be smooth.

7.5.5 Contact the Department of Public Utilities for public utility extension information from the existing to the proposed development. Contact the Department 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 Grading shall be done in accordance with the lines and grades shown on the approved Grading Plan.

8.1.2 Grading plans shall show existing and proposed contour lines at an interval of no more than 2 feet. Grading plans shall outline the areas which 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 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.
- 8.1.4 The maximum slopes for cut or fill shall be 2:1 (two feet of horizontal run for each foot of rise or fall), except as discussed in Section 8.1.5 below. The depth of cut referred to herein shall be the maximum cut or fill occurring 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 except when benching is approved by the Department. 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 without a valid permit issued by the Fire Marshall's office.) Refer to the Standard Plans for grading section and retaining wall details.
- 8.1.5 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.
- 8.1.6 A mass grading plan showing building pad location shall be submitted for residential subdivisions, unless a modification application is approved, designed 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.
- 8.1.7 Grading for roads and improved ditches shall be shown
- 8.2 STORM WATER DETENTION
- 8.2.1 Storm Water Management Report Required

- A. A Storm Water Management Report (also designated as hydrological study herein) shall be provided for every project. The purpose of this report shall be to formulate a plan to manage storm water runoff so that storm water runoff hazards are not created and existing runoff-related problems are not exacerbated, either upstream or downstream from or

within the boundaries of the property being developed. The engineer shall be responsible for obtaining all information necessary for the report. Hydrologic analysis and detention pond hydraulics (excluding dams as defined in Section 8.6 of these regulations), pipe and open channel hydraulics, culvert hydraulics and water quality best management practices shall be certified by a Professional Engineer registered in the State of Georgia. Flood studies for any floodplain or flood prone areas, and hydrologic and hydraulic analysis and design calculations which are performed for the design of a dam as defined in Section 8.6 of these regulations, shall be certified by a Professional Engineer 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.

All culverts, pipe systems, and open channel flow systems shall be sized based on all on-site upstream areas being developed in accordance with the development plans and the off-site upstream areas being fully developed in accordance with the City's adopted Existing Land Use Plan with no detention. Upstream detention may be included when determining flows, provided the engineer calculates the reduced flows by routing the developed flows through any storm water facility included in the analysis rather than assuming the reduction will occur. The engineer shall show that detention facilities used in the analysis will remain, be properly maintained and the storage volume and outlet structure is based on current conditions.

Detention facilities shall be designed using pre-development flows based on existing conditions for all upstream areas including existing on-site lakes and detention. Post-development flows, except the 100-year flow, shall be based on on-site upstream areas being developed per the development plans and existing conditions for off-site upstream areas. The 100-year flow shall be based on on-site upstream areas being developed per the development plans and the off-site upstream areas being developed per the City's adopted Existing Land Use Plan with no detention. Upstream detention may be included if it meets the conditions as described for culverts and pipe systems. Existing conditions shall be defined as the conditions of the site at the time a land disturbance permit is applied for. The existing condition includes on-site lakes and ponds. Pre-development flows shall be determined by routing the pre-development flows through these storm water facilities. Flows used to size the outlet structures for detention facilities that exceed the 25-year design flow, shall be sized as described for culverts and pipe systems. When more than 50% of the property of a developed project site is disturbed for either

redevelopment or improvement, the Storm Water Management Report shall be prepared for the entire site and existing impervious areas shall be treated as forest in the pre-developed analysis. When 50% or less of the property is disturbed, detention shall be provided as required by these regulations for the disturbed area.

The report shall contain drainage area delineation maps and other exhibits at satisfactory scale and sufficient in quantity and scope to define the boundaries of the site, and off-site areas, relative to water courses, drainage divides, drainage structures, and other pertinent features. The Gwinnett County Geographical Information System (GIS) mapping information shall be used where appropriate.

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.

- (1) The report shall examine the conditions downstream from the project to a point where the project area is 10 percent of the total drainage basin.
  - (a) The analysis shall include all culverts, obstructions, existing and potential erosion problems, elevations of existing improvements, existing drainage complaints and any other existing modifications to natural conditions. The downstream water courses and receiving conveyance shall be analyzed to ensure that the channel velocities do not exceed values recommended in the Design Manual nor does the pipe system exceed current design criteria of these regulations; and,
  - (b) If the existing downstream conditions are overburdened by the pre-developed flows in the stream, then the developer and the City shall jointly participate to resolve the problem. The meaning of "overburdened" 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 flooding for any frequency up to and including the regulatory flood and storm water facilities that cannot carry the design storm in accordance with these regulations; and,
  - (c) If there are any problems identified downstream that are a result of the development, then the developer shall eliminate the conditions causing the problem.
- (2) Hydrographs shall be analyzed at a minimum of one and possibly two points. One study point shall be at the downstream property line where the watercourse crosses the

project site's downstream property line. The second study point may be downstream of the project at the point where the project area is 10 percent of the total drainage basin. (See section 8.2.2)

- (a) The study will compare pre-developed hydrographs with post-developed hydrographs for the 2, 5, 10, 25, 50 and 100-year flood frequencies; and,
  - (b) Comparison of peak flows shall include the timing of hydrographs; and,
  - (c) Hydrographs shall be based on a 24-hour storm.
  - (d) The analysis shall be in accordance with the Georgia Stormwater Design Manual.
- 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 engineer 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. Design Criteria - General  
All design related to storm water shall be in accordance with the Georgia Stormwater Management Manual and with the Loganville Landscape Design Standards and Guidelines for Stormwater and Detention Facilities.  
(Amended 12/8/2022)
- g. 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 Stormwater Management Report. (*Amended 03/12/2020*)

## 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 cannot carry the design storm in accordance with these regulations.
- b. Storm water detention facilities required in section 8.2.2a shall be provided, unless the authorized registered professional (refer to Subsections 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) The site runoff will flow directly into a stream or lake without crossing off-site properties and 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.).

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 by more than 5 percent at the point downstream from the project 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.

c. A variety of methods of achieving storm water management goals shall be acceptable in providing detention facilities. The type of facility provided shall be based on the following criteria:

- (1) The type of development which the detention facility is being provided;
- (2) The type of development which the detention facility is intended to protect;
- (3) Volume of storm water to be stored;
- (4) Origin and magnitude of the flows to be managed;
- (5) Topographic opportunities and limitations;
- (6) Safety considerations;
- (7) Maintenance requirements;
- (8) Aesthetic considerations;
- (9) Likelihood of facility operation interfering with access to public or private facilities;
- (10) Proximity of facility to property lines, utilities, buffers, etc.; and,
- (11) Similar site-specific constraints.

d. Detention facilities may be of any of the following types, and two or more types may be used in combination with one another:

- (1) Normally-dry basins, whether excavated or created by damming a natural drainage feature, or a combination of both methods;
- (2) Lakes and ponds, whether excavated or created by damming a natural drainage feature, or a combination of both methods;
- (3) Parking lot facilities;
- (4) Underground facilities; and,
- (5) Roof top facilities.

e. Reservoir routing methods shall be used for all detention facility design. The size of the orifice to detain the 1-year storm for the facility shall be computed using the following orifice equation with a twenty-four (24) hour draw down time from the elevation of the total channel protection volume (CPV) and an orifice coefficient of six tenths (0.6). The minimum elevation of the 2-year control shall be at the maximum routed pool elevation of the 1-year storm and not pool elevation of the total 1-year storm volume.

$h$  = head measured in feet from the elevation needed to store the total 1-year runoff volume (CPV) to the centroid of the orifice;  
 $Q_a$  = average CPV outflow rate in cfs;  
 $Q_a = CPV / 3600 \times 24$ ;  
 $A$  = required orifice area in square feet;

$$A = Qa / (0.6 \times (64.4 \times h/2)^{0.5}). \text{ (Amended 03/12/2020)}$$

- f. The hydrologic methodology used for any given project shall conform to the Georgia Stormwater Management Manual. *(Amended 03/12/2020)*
- g. Runoff coefficients and runoff Curve Numbers used for pre- and post-development conditions shall be consistent with those shown in the Georgia Stormwater Management Manual. 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.
- h. 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.
- i. If a computer program is used for hydrologic and hydraulic analysis and design, including generating and routing hydrographs, the output from the program shall be summarized in the Storm Water Management Report, and the name and version of the program shall be indicated. Computer output sheets may be attached to the report if desired by the authorized registered professional (refer to Subsection 8.2.1. Paragraph a.) or if requested by the Department.
- j. The design of every detention facility of any type shall consider the effects both of inflows in excess of those the facility is designed to accommodate and of malfunctioning of the primary outlet system. A safe path for overflow condition flows shall be provided.
- k. Weirs shaped like a “V” (“V” notch weirs) shall be used where practical, considering structural or hydrological concerns.
- l. In residential subdivisions, no more than 50% of the basin perimeter may be a wall of any type.

#### 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 bypasses 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 use 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.g 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 owner's association. The lot shall have a minimum of 30 feet of public road frontage and a minimum lot width of 30 feet. 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.
- 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. 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 Gwinnett or Walton County as appropriate

#### 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.

- b. Within a detention basin, all stumps are to be removed and all debris is to be removed below the 10-year ponding elevation. Trees or shrubs may be allowed to remain below the 10-year ponding elevation only upon certification of the survivability of the vegetation and specific approval by the Department. Trees and shrubs within the ponds are discouraged.
- c. Detention slopes that are disturbed are to be grassed. The ground cover within the basin shall be well established with all exposed areas covered prior to the end of the maintenance period
- d. Where permitted by the Loganville Landscape Design Standards and Guidelines for Stormwater and Detention Facilities, the Developer shall place a fence around the detention facility, it shall be a minimum 6-foot-high fence of durable material, with a 12-foot-wide access gate. The fence shall be contained within an easement at least 20 feet wide, shall not encroach upon the detention facility (although their easements may overlap by up to 10 feet), and shall comply with the location requirements of the Zoning Ordinance. (Amended 12/8/2022)
- e. The side slope in graded areas is required to be 4H: 1V or flatter in zoning districts unless otherwise indicated in the Loganville Landscape Design Standards and Guidelines for Stormwater and Detention Facilities. The normal ponding surface elevation shall be defined as the elevation when the volume contained in the facility equals the runoff from a one and two-tenths (1.2) inch rainfall event. When the depth to the normal ponding surface is greater than 4 feet and the side slope is steeper than 4H:1V, a bench shall be provided. The bench shall be at least ten (10) feet in width and is recommended to be fifteen (15) feet in width. The slope of the bench shall be 10H:1V. The bench shall be located so that the normal ponding surface elevation is between the top and bottom edge of the bench. Please refer to the Loganville Storm Water Standard Drawings. (Amended 12/8/2022)
- f. The bottom of the pond shall be graded for positive drainage. Please refer to the Loganville Storm Water Standard -Drawings. (Amended 03/12/2020)

#### 8.2.8. Detention Facility Certification and Record Drawings

A certified record survey of each detention facility shall be prepared by a land surveyor 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 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).

### 8.3 CULVERTS AND PIPED DRAINAGE SYSTEMS (Amended 03/12/2020)

#### 8.3.1 Drainage Improvements Required

Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 1.0.

#### 8.3.2 Standard Specifications

Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 2.0.

#### 8.3.3 Design Criteria – General

Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 3.0.

#### 8.3.4 Design Criteria – Culverts

Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 4.0.

#### 8.3.5 Piped Collection Systems

Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 5.0

#### 8.3.6 Energy Dissipation - Piped Systems and Culverts

Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 6.0.

- 8.3.7 Minimum Pipe and Pipe Coating Requirements
- Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 7.0.
- 8.3.8 Pipe Length
- Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 8.0.
- 8.3.9 Pipe Installation
- Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 8.0.
- 8.3.10 End Finish
- Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 10.0.
- 8.3.11 Junction Boxes and Catch Basins
- Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 11.0.
- 8.3.12 Other Structures
- Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 12.0.
- 8.4 SURFACE DRAINAGE (Amended 3/12/2020)
- 8.4.1 Design Standards
- Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 13.0.
- 8.4.2 Construction Standards
- Please refer to the Loganville Storm Sewer Culvert and Piped Drainage System Standard Specifications, Section 14.0.
- 8.5 EROSION CONTROL
- 8.5.1 Design Standards

- a. 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. In those instances, wherein these Regulations are silent, the "Manual for Erosion and Sediment Control in Georgia" shall apply. (Amended 3/12/20220)
- b. No permit shall be issued authoring any land disturbing activity unless erosion and sediment control plans have first been submitted to and approved by the Department in accordance with these Regulations. (Amended 03/12/2020)

#### 8.5.2 Construction Standards (Amended 3/12/2020)

- a. All erosion control structures and/or appurtenances as shown on the approved plans shall be in place and operational, inspected and approved by the Department prior to the beginning of construction, and shall be maintained in operational condition until the phase or project has been completed. (See also Requirements for Initiation of Development Activities under Article 11.4.)
- b. Temporary and permanent ground covers are required.
- c. Upon project completion, erosion control devices and temporary siltation facilities shall be maintained in place where the individual lots are being developed, or until all disturbed areas are fully stabilized. d. Erosion controls and siltation facilities shall be installed and maintained on each building lot during building construction and site development, as required by the Soil Erosion and Sediment Control Ordinance and consistent with the provisions of the "Manual for Erosion and Sediment Control in Georgia".

#### 8.5.3 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. (Amended 03/12/2020)

### 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 Became 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 the City 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 design 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 darn is being constructed. The developer shall also cause a darn 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 Registered 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 darn and its impoundment.

#### 8.6.2 New Dams Subject to Regulation by the City of Loganville

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 darn to the design standards for new darns as contained in the Rules for Darn Safety, then a darn breach analysis for the darn shall be submitted with the construction plans for review and authorization prior to securing a Development Permit from the Department. The design engineer shall utilize the computer model entitled "DAMBRK" for the dam breach analysis.
- b. Should the new darn not meet the design standards for new darns as contained in the Rules for Darn Safety, then only the following uses and structures shall be permitted within the darn breach zone:
  - 1. Agriculture which requires no structures for human habitation within the darn 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 the City of Loganville 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 Registered 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, 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:

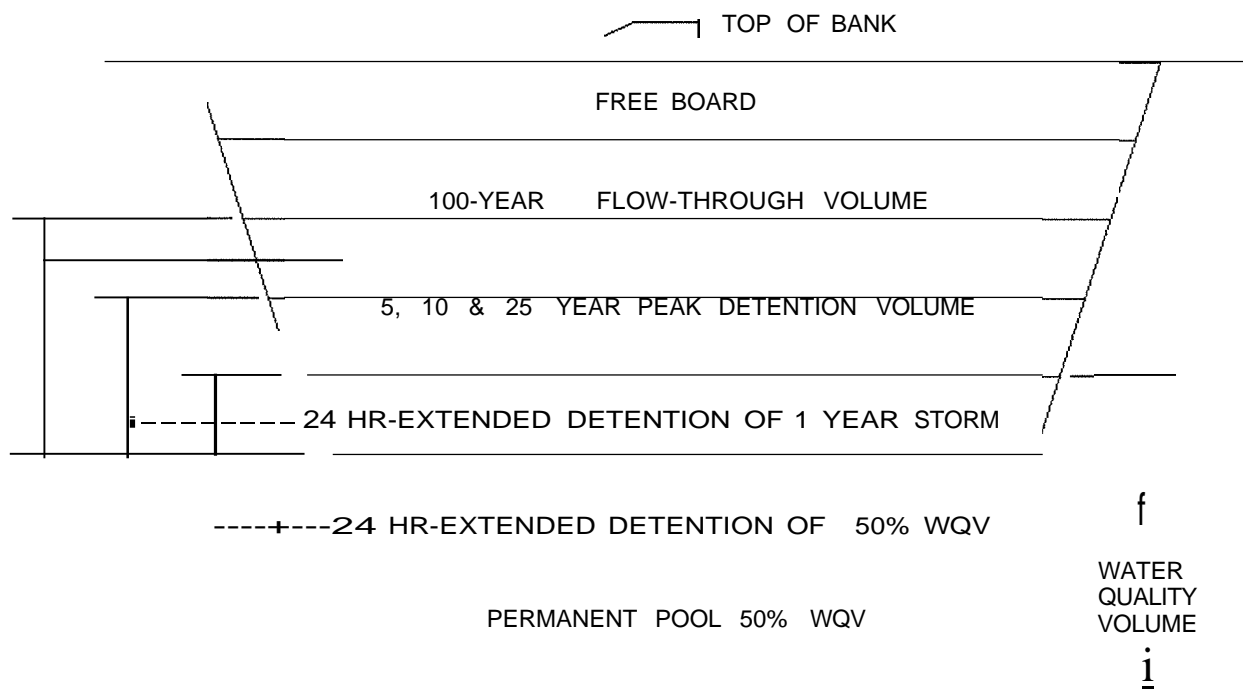
- a. Location of the Category II dam and the proposed development; and,
- b. A surveyed cross-section of the stream valley at the location of the proposed development including finished floor elevations; and,
- c. A dam breach analysis using the Dambreak computer model to establish the height of the floodwave in the downstream floodplain. The Dambreak modeling shall be completed in accordance with the Safe Dams Program Quality Assurance Program by a qualified registered engineer.

## 8.7 EXTENDED DETENTION

### 8.7.1 Wet Extended Detention Facility Design Requirements.

Wet extended detention facilities shall be designed and constructed to meet the following requirements:

- a. **Minimum and Maximum Drainage Area**  
The minimum drainage area for which a wet detention facility shall be allowed to be constructed shall be at least 20 acres. The maximum drainage area shall be 100 to 300 acres. The maximum drainage area of highly impervious drainage areas shall be restricted to the lower end of the range (100 acres) and low-density residential watersheds shall be restricted to a maximum of 300 acres
- b. **Storage Volume of Permanent Pool**  
The permanent pool storage (Vb) shall be at least 50% of the Water Quality Volume (WQV) defined in section 8.9.1. The part of the WQV (50% or less) not used in the permanent pool shall be detained for 24 hours and the storage volume may be used as part of the detention requirements. The WQV to be stored shall be based upon the project area. The project area compensated for in a pond shall not exceed the total drainage area draining to the pond. Off-site areas that do not drain through other water quality BMP's may be used to compensate for areas that by-pass the pond. By-passed areas shall be minimized as much as practical. Off-site areas exceeding the project site area may bypass the pond.



c. Depth of Permanent Pool

1. Mean Depth.

The mean depth (Z) of the permanent pool shall be between 3 feet and 7 feet and is calculated by dividing the permanent pool storage volume (Vb) by the surface area (As) ( $Z = Vb / As$ ).

2. Maximum Depth.

The maximum depth of the permanent pool shall be no greater than 12 feet unless a modification is approved. The intent of these regulations is to ensure that the depth of the facility is not out of proportion with the surface area of the facility. Granting of a modification will not nullify these regulations when the depth and surface area of the facility is based on existing natural topography.

d. Minimum Surface Area of Permanent Pool

The minimum surface area (As) of the permanent pool should be 0.25 acres. The minimum ratio of surface area to drainage area used to calculate the permanent pool (Aw) in residential watersheds shall be 1% unless a modification is approved. The intent of these regulations is to ensure that the depth is minimized to increase removal efficiencies. Granting of a modification will not nullify these regulations when the depth and surface area of the facility is based on existing natural topography. As/Aw ratios in excess of 3% are desirable for nonresidential watersheds with relatively high levels of imperviousness.

e. Side Slopes Along the Shoreline

1. The side slope in graded areas is required to be 4H:1V or flatter in zoning districts unless otherwise indicated in the Loganville Landscape Design Standards and Guidelines for Stormwater and Detention Facilities. When the depth of the permanent pool is greater than four feet and the slope is steeper than 4H:1V, a bench shall be provided. The bench shall be ten (10) feet in width and is recommended to be fifteen (15) feet in width. The bench shall have a slope of 10H:1V. The bench shall be located so that the permanent pool elevation is between the top and bottom edge of the bench. Please refer to the Loganville Storm Water Standard Drawings. (Amended 12/8/2022)

2. Side slopes shall be topsoiled, nurtured or planted from 2 feet below to 1 foot above the permanent pool control elevation to promote wetland vegetative growth. Below the safety ledge, the pond side shall be sloped to meet topographic or volumetric constraints.

f. Length: Width Ratio of Permanent Pool

The minimum length: width ratio of the permanent pool shall be 2:1.

The length shall be measured at the shortest flow path from the inlet to the outlet. The width shall be calculated as the surface of the pond divided by the length. In addition, the location of the outlet structure within the basin shall maximize travel time from the inlet to the outlet. Baffles or islands may be installed within the permanent pool to increase the flow path length and to minimize short-circuiting.

g. Soil Permeability

In cases where relatively permeable soils are encountered, water drawdown rates should be minimized by either compacting the permanent pool soils during construction, incorporating clay into the soil, or by installing an artificial liner.

h. Spillway and Dam Design

The principal spillway, emergency spillway, and dam shall be designed in accordance with Sections 8.2, 8.6 and 9.8 of these regulations.

i. Forebay

1. To facilitate major cleanout activities, a sediment forebay shall be constructed near the inlet to the permanent pool to trap coarse sediment particles. The forebay volume may be included in the permanent pool volume requirements. The forebay storage capacity shall be 10 percent of the runoff from 1.2 inches of rainfall draining to the facility to accommodate sediment accumulations. The forebay should not exceed 10 percent of the permanent pool. The volume shall be calculated as:

$$FBV = (0.1) 1.2(R_v)AT/12 \text{ (ft}^3\text{)}$$

$$\text{Where } R_v = 0.05 + I(0.009)$$

I = Percent Impervious as a whole number

AT = Total area draining to facility (ft<sup>2</sup>)

2. The facility shall be dredged to ensure that all of the permanent pool storage volume is available after the upstream area has been stabilized. All temporary sediment control measures employed during land disturbing activities to trap sediment shall be located outside of state waters.
3. The forebay shall be distinguished from the permanent pool. Options which may be used include: a lateral sill with wetland vegetation; two (2) ponds in series; differential pool depth; rock-filled gabions or a retaining wall; or a horizontal rock filter placed laterally across the permanent pool.

j. Inlet and Outlet Structures

1. The inlet design shall dissipate flow energy and diffuse the inflow plume where it enters the forebay or permanent pool. Options that may be used include: drop manholes; energy dissipaters at the

bottom of paved ditches; a lateral bench with wetland vegetation; and the placement of large rock deflectors at each inlet.

2. The outlet design shall consist of a riser with a hood or trash rack to prevent clogging and an adequate antivortex device for facilities serving large drainage areas. Anti-seep collars shall be installed around all conduits that pass through the embankment of the basin. The outlet may be sized to achieve the flood control performance standards contained in Sections 8.2, 8.6 and 9.8 of these regulations. An emergency spillway shall be provided no lower than the 25-year ponding elevation and its capacity shall be at least equal to the full 100-year peak flow rate into the facility.
3. The channel which receives the discharge from the basin's outfall pipe shall be protected from erosive discharge velocities. Options which may be used include: rip-rap lining of the channel; or, the provision of stilling basins, check dams, rock deflectors or other devices to reduce outfall discharge velocities to non-erosive levels.
4. An orifice for any required extended detention volume shall be sized using the same criteria as required in section 8.7.2.

k. Access

Access requirements shall be as specified in Section 8.2.5 of these regulations.

l. 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.

m. Engineer's Certification and Record Drawings

A certified record survey of each facility shall be prepared by a land surveyor currently registered in the State of Georgia. A certified record drawing of the facility shall be prepared based upon this survey. The design engineer 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.

- n. The bottom of the pond shall be graded for positive drainage. Please refer to the Loganville Storm Water Standard Drawings. (Amended 03/12/2020)

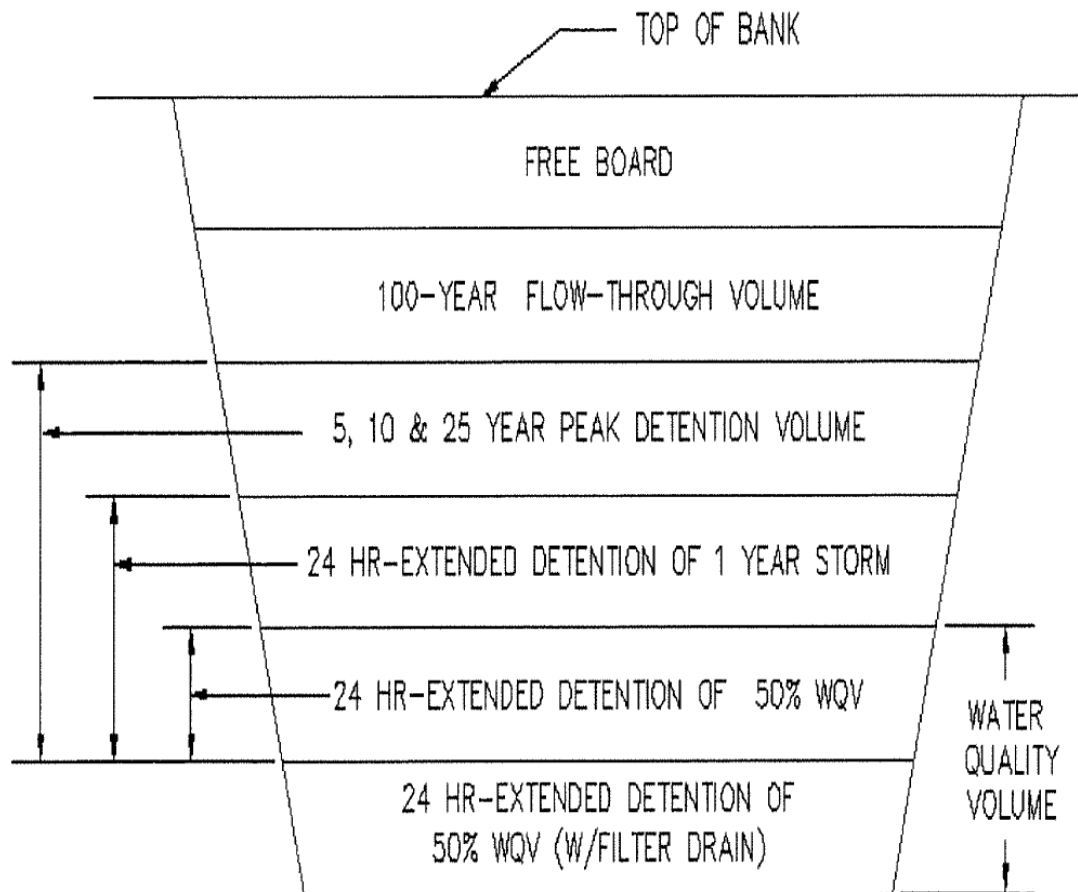
## 8.7.2 Dry Extended Detention Facilities

### a. Maximum Drainage area

The maximum drainage area for which the facility shall be allowed to be constructed should be 20 acres (DA= drainage area in acres);

### b. Storage Volume

The Water Quality Volume (WQV) to be stored is defined in section 8.9.1. Up to fifty percent (50%) of the storage volume shall be detained for 24 hours and may be used for detention requirements. The remaining portion (50% or greater) shall be drained through a filter drain in 24 hours. The filter drain shall be the only outlet draining the WQV.



S = BMP storage volume in cubic feet

### c. Minimum Surface Area

The facility should have a minimum surface area of one (1) percent of the total drainage area when the volume contained in the facility equals the required BMP storage volume.

### d. Side Slopes along the Shoreline

The side slope in cut areas shall be no steeper than 4H: 1V (Horizontal:

Vertical) and is recommended to be 3H: 1V or flatter unless otherwise indicated in the Loganville Landscape Design Standards and Guidelines for Stormwater and Detention Facilities. The side slope in fill areas shall be 4H: 1V or flatter. A flat bench at least 10 feet in width shall be provided 1 foot above the ponding level used to determine the minimum surface area. (Amended 12/8/2022)

e. Length: Width Ratio

The length: width ratio shall be maximized. The length shall be measured as the shortest flow path from the inlet to the outlet. The width shall be calculated as the surface area of the pond divided by the length.

f. Depth of Facility

The average cross-sectional area of the facility shall be calculated as the volume of the pond divided by the length. The water velocity shall be determined by dividing the maximum outflow rate by the average cross-sectional area. The maximum desired water velocity shall be 0.5 feet per second.

g. Spillway and Dam Design

The principal spillway, emergency spillway and dam shall be designed in accordance with Sections 8.2, 8.6 and 9.8 of these regulations.

h. Forebay

The forebay requirements are the same as for wet extended detention (section 8.7.1.i)

i. Inlet and Outlet Structures

1. Inlet and outlet structures shall meet the same requirements as wet detention facilities.
2. The size of the orifice for the facility shall be computed using the following orifice equation with a 24 hour draw down time from the full pool BMP volume (S) and an orifice coefficient of 0.60:

$h$  = head measured in feet from the elevation at the required BMP storage to the centroid of the orifice;

$Q_a$  = average BMP outflow rate in cfs;

$Q_a = S/3600 \times 24$ ;

$A$  = required orifice area in square feet;

$A = Q_a / (0.6 \times (64.4 \times h/2)^{0.5})$ .

3. An allowance for base flow shall be provided. The designer either shall determine the base flow using a factor of 1.6 cfs per square mile or may use another standard engineering practice if warranted.

j. Access

Access requirements shall be as specified in Section 8.2.5 of these regulations.

k. Easement Requirements

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.

l. Engineer's Certification and Record Drawings

A certified record survey of each facility shall be prepared by a Land Surveyor currently registered in the State of Georgia. A certified record drawing of the facility shall be prepared based upon this survey. The design engineer 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 subdivision plat.

m. Wetland Plantings

The facility bottom shall be planted with plantings indigenous to local wetlands.

n. The bottom of the pond shall be graded for positive drainage. Please refer to the Loganville Stormwater Standard Drawings (Amended 3/12/2020).

8.7.3 (Reserved)

8.7.4 Stream Buffers and Impervious Surface Setbacks

Refer to the Zoning Ordinance for buffer and impervious surface setback requirements from streams. (Amended 03/12/2020)

8.7.5 Wet and Extended Detention Facility Maintenance. Maintenance requirements shall be as specified in Section 8.2.6 of these regulations.

8.8 STORM WATER MANAGEMENT

8.8.1 Design Criteria – General

All design related to storm water shall be in accordance with the Georgia Stormwater Management Manual and the Loganville Landscape Design Standards and Guidelines for Stormwater and Detention Facilities. (Amended 12/8/2022)

8.9 WATER QUALITY BEST MANAGEMENT PRACTICES

8.9.1 Reduction/Treatment of Runoff

a. All projects shall be designed to retain the first

1.0 inch of rainfall onsite, to the maximum extent practicable. If the first 1.0 inch of rainfall can be retained onsite using runoff reduction methods, then additional water quality treatment is not required.

- b. If reducing the entire 1.0-inch rainfall volume onsite is not feasible, submit the following documentation from the design professional for review by the City for approval of infeasibility:

1. Soils investigation report demonstrating onsite soils are not suitable for infiltrating the required volume within a 48-hour period. Soil test locations must be in the area where stormwater management practices would be utilized onsite. Evidence of high water table, bedrock or contaminated soils may be included in the report;

2. A written analysis signed and sealed by the design professional stating the amount of volume that cannot be reduced onsite, the total volume of Water Quality to be provided instead (1.2 multiplier) and site-specific reasoning and supportive evidence for not providing the runoff reduction volume. The analysis should demonstrate the runoff reduction practices to comply with this regulation is an extreme economic hardship or physical impossibility due to site constraints or conflicts with other City requirements

- c. If the 1.0-inch runoff cannot be retained onsite, the remaining runoff from a 1.2-inch rainfall event must be treated to remove at least 80% of the calculated average annual post-development total suspended solids (TSS) or equivalent as defined in the GSMM. (Amended 03/12/2020)

- d. The water quality volume (WQV) shall be the runoff from 1.2 inches of rain from the project site. The volume shall be calculated as:

$$WQV = 1.2 (R_v) A_s / 12 \text{ (ft}^3\text{) Where}$$

$$R_v = 0.05 + I (0.009)$$

I = Percent Impervious as a whole number

A<sub>s</sub> = On-site area to be treated (ft<sup>2</sup>)

#### 8.9.2 Green Infrastructure and Low Impact Development (GI/LID) Practices

- a. Stormwater runoff volume reduction shall include Green Infrastructure (GI) and Low Impact Development (LID) techniques and practices that

have been selected, designed, constructed, and maintained in accordance with information in the Georgia Stormwater Management Manual (GSMM) and applicable sections of the Coastal Stormwater Supplement (CSS).

- b. Reducing stormwater impacts with GI/LID practices include the following nonstructural methods or BMPs (Best Management Practices) to be considered for each project:
  - 1. Open Space Subdivision Overlay Zoning District;
  - 2. Loganville Tree Protection Ordinance and Landscape Regulations;
  - 3. Stream Buffer Protection;
  - 4. Loganville Landscape Design Standards and Guidelines for Stormwater and Detention Facilities (Amended 12/8/2022)
- c. Reducing stormwater volume with GI/LID practices include the following structural methods or BMPs to be considered for each project:
  - 1. Bioretention, Bioslopes;
  - 2. Dry Wells, Enhanced Dry Swales;
  - 3. Infiltration Trenches, Stormwater Planters;
  - 4. Permeable, Porous, or Pervious Paving;
  - 5. Rainwater Harvesting;
  - 6. Vegetated Filter Strips

#### 8.9.3 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.h if not located on a recreation area lot as specified in 8.2.4 g
  - 1. Extended detention ponds;
  - 2. Retention ponds;
  - 3. Sand filters;
  - 4. Constructed wetlands;
  - 5. Infiltration trenches;
  - 6. Oil/grit separators.

#### 8.9.4 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.

#### 8.9.5

#### Facility Maintenance

- 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. 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 and a new record survey and certification showing that the facility complies with these regulations as specified in section 8.2.8 shall be

submitted.

8.9.6 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.

8.9.7 Existing Subdivisions with Regional Water Quality Facilities

Where the drainage 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.

8.9.8 Existing Subdivisions without Regional Water Quality Facilities

Where the drainage 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.

8.9.9 Retrofitting of existing detention facilities for water quality treatment

If water quality treatment for a proposed development is to be provided in an existing detention basin, then treatment must be provided for the entire original project basin. A modification to the 25-year detention requirement may be granted for the purpose of retrofitting the detention pond to meet current water quality regulations. Granting of 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 basin, 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 basin;
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 ponding limits create a hardship if no modification is granted; and,

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

#### 8.9.10 Retrofitting of existing water quality facilities.

If water quality treatment for a proposed development is provided in an existing water quality facility, then water quality treatment conforming to the current regulations must be provided for the entire original project basin.

#### 8.9.11 Redevelopment and Improvements

- a. When five-thousand (5,000) square feet or more of new impervious surface is added, or one (1) acre or more of a developed project is disturbed for redevelopment, and more than 50% of the property of a developed project site is disturbed for either redevelopment or improvement, the water quality requirements of this section must be done for the entire site.
- b. When less than five-thousand (5,000) square feet of new impervious surface is added or less than one (1) acre of a developed project is disturbed for redevelopment, 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.
- c. When five-thousand (5,000) square feet or more of new impervious surface is added, or one (1) acre or more of a developed project is disturbed for redevelopment, and less than 50% of the property of a developed project site is disturbed for either redevelopment or improvement, the project shall provide water quality treatment for just the improvements on the site.

## 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 that 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, and the Loganville Roadway Design & Construction Standard Specifications. (Amended 03/12/2020)

### 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 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 accepted 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:
  - 3. A lot which presents particular or unusual difficulties for a builder to meet minimum required building setbacks;
  - 4. A lot upon which is located an easement of unusual configuration;
  - 5. 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;
  - 6. A lot upon which is located all or a part of a stormwater detention facility;
  - 7. A lot upon which is located a buffer which was required by the Zoning Ordinance as a condition of zoning approval;
  - 8. All duplex lots (Amended 03/12/2020)
- 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 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 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 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 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

A maximum number of 200 residential dwelling units shall be allowed to be constructed with only one street outlet to an existing public street. If a second access to an existing public road is not available or, in the opinion of the Director,

could induce non-residential traffic through the development, a single entrance may be allowed if designed with a traffic signal and/or sufficient right-of-way and improvements to provide a protected left-turn lane, subject to the approval of the Department.

9.5 ROADWAY DESIGN (Amended 3/12/2020)

9.5.1 Street Grades and Design Speeds

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 2.0.

9.5.2 Vertical Street Alignment

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 3.0.

9.5.3 Horizontal Street Alignment

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 4.0.

9.5.4 Horizontal and Vertical Clearances

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 5.0.

9.6 STREET INTERSECTIONS (Amended 3/12/2020)

9.6.1 Angle of Intersection

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 6.1.

9.6.2 Maximum Grade

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 6.2.

9.6.3 Intersection Approaches: Horizontal Alignment

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 6.3.

9.6.4 Intersection Approaches: Vertical Alignment

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 6.4.

9.6.5 Intersection Radii

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 6.5.

9.6.6 Islands

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 6.6.

9.6.7 Intersection Corner Sight Distance

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 6.7.

9.6.8 Obstructing Visibility at Intersections

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 6.8.

9.6.9 Turning Lanes at Intersections

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 6.9.

9.6.10 One-Way Streets

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 6.10.

9.7 DRIVEWAY INTERSECTIONS (Amended 3/12/2020)

9.7.1 Driveway Material

The City of Loganville does not allow any type of decorative material for driveways within right-of-way or City easements. Such cosmetic materials include brick, stone, stamped asphalt or concrete, etc. The use of these materials must be approved by the City Public Utilities Department. If approved by the City Public Utilities Department, it will be the responsibility of the property owner to cover replacement costs if any area requires removal due to repairs (i.e. water line replacement).

9.7.2 Angle and Improvements

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 7.1.

9.7.3 Driveway Design Standards

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 7.2.

9.7.4 Auxiliary Lanes

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 7.3.

9.7.5 Corner Sight Distance

Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 7.4.

9.7.6 Separation and Spacing  
Please refer to the Loganville Roadway Design & Construction Standard Specifications, Section 7.5.

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 0.25 or 60, respectively, unless prior approval has been obtained from the Department. A pre-design conference between the design engineer

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 Georgia Stormwater Management Manual. (Amended 03/12/2020)

#### 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 a Professional Engineer 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 Professional 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 Geotechnical Engineer currently registered as a Professional Engineer in the State of Georgia.
  - 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 material testing company.
5. Earthen dams for normally-dry detention basins shall have a top width of no less than 8 feet, and riprap protected slopes on the upstream face no steeper than 2 (horizontal) to 1 (vertical). Vegetated embankments shall have side slopes no steeper than 3:1.
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 ponds shall conform to the following:

Any 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 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 Georgia Stormwater Management 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. (Amended 03/12/2020)
- 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 area 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 inlet is a reinforced concrete box structure having an interior width equal to the width of the conduit.
  4. The principal spillway capacity is at least equal to the capacity required for an open- channel emergency spillway.
  5. The low point of the dam crest is not in a fill section.
  6. 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, either the methodology contained in the "Earth Emergency Spillway Design Data" section of the "Manual for Erosion and Sediment Control in Georgia".
- 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, the emergency spillway shall be placed at the 25-year ponding elevation or higher. Its capacity shall be at least equal to the difference between the 100-year peak flow into the detention facility and the 25-year peak release rate from the facility.
  2. For normally-dry detention basins, ponds, and lakes, which do not meet all of the magnitude limitations in "1" above, the emergency spillway shall be placed no lower than the 100-year ponding elevation, and its capacity shall be at least equal to the lesser of either the full 100-year peak flowrate into the facility, or the routed one-fourth PMF hydrograph. In those cases where State

or Federal regulations may require greater spillway capacity, those more stringent regulations shall govern.

- f. Emergency overflow for non-earth 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 to 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 which 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 Georgia Stormwater Management Manual. (Amended 03/12/2020)
- 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 average 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 adopted 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 stormwater 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 Georgia

## Stormwater Management Manual.

### 9.9.2 Piped 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 Georgia Stormwater Management Manual. (Amended 03/12/2020)
- 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 HOPE 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 Piped 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 predeveloped 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 stormwater into public roadways shall not be allowed without specific permission by the Department. 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<br>FOR A 2-YEAR STORM |
|-----------------------|--|
|                       | 2.0 cfs  |
| Collector             | 1.0 cfs  |
|                       | 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 CONCRETE PLAN SPECIFICATIONS

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

- 10.1.1 The Concept Plan for a subdivision or site development shall be clearly and legibly drawn at a scale of not less than 100 feet to one inch. Sheet size shall not exceed 42 inches by 30 inches, provided, however, a scale of 200 feet to one inch may be used to avoid sheets in excess of 42 inches by 30 inches. The Director may approve other scales and sheet sizes as deemed appropriate.
- 10.1.2 The Concept Plan may be prepared as a freehand drawing to close approximate scale of the proposed improvements, right-of-way, lot lines, etc., shown on a boundary survey or other property outline map of the property.
- 10.1.3 The Concept Plan shall contain the following:
- a. approximate total acreage.
  - b. Proposed total number of lots and minimum lot size.
  - c. Size and location of adjoining existing streets or access drives and proposed right-of-way, roadways, and access drives.
  - d. For multi-family and nonresidential site developments (not subdivisions), the approximate location and arrangement of buildings, parking areas, and other improvements including 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 of 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. Lakes, ponds, and floodplains and the source of floodplain data including the panel number of flood insurance rate maps.
- l. Required recreation areas, and other public areas to be dedicated to the public or held in common ownership by a homeowner association or other similar entity.
- m. Existing zoning of the property and adjoining properties.
- n. Land lot, district and parcel number(s).
- o. Subdivider's name, local, and permanent (if different) address and phone number.
- p. Name of company or person who prepared plan, address and phone number, local and permanent River Tributary Protection Areas, if applicable to the property.
- q. 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.
- r. General development data (in tabular form) for single family developments, such as minimum lot size, floor area, and all relevant conditions of zoning.
- s. Signature block to read as follows:

This Concept Plan has been reviewed and approved for general compliance with the Zoning Ordinance and Development Regulations of the City of

Loganville, Georgia.

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Director, Department of Planning and Development

Date

(Amended 3/12/2020)

## 10.2 SUBDIVISION DEVELOPMENT PLANS

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

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

### 10.2.3 Scale

The Development Plans shall be clearly and legibly drawn at a scale of not less than 100 feet to one inch. Sheet size shall not exceed 42 inches by 30 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 10.2.4a above.

### 10.2.5 The Preliminary Plat shall contain the following:

- a. Proposed name of subdivision.
- b. Name, address, telephone and fax number, and contact person of the Owner of record, and of the subdivider (if not the Owner)
- c. Name, address, telephone and fax number, and contact person 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, Land Lot, and parcel(s)), 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 to hundredths of a foot, and bearings in degrees, minutes, and seconds. Bearing and distance to designated legal tie point.
- j. Directional flow arrows for individual lot drainage when 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, including benchmark data, and dated.
- l. Natural features within the proposed subdivision, including drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses leaving the tract, the direction of flow shall be indicated. The 100-year floodplain shall be outlined and the source of the depicted floodplain information shall be indicated. For those lots containing floodplain, a Floodplain Lot Chart shall be provided showing the area (in square feet) of each lot lying inside and outside of the floodplain as though the land disturbance activity were completed.
- m. Man-made and cultural features existing within and adjacent to the proposed subdivision including existing right-of-way measured from centerline, pavements widths, and names of existing and platted streets; all easements, City, and County jurisdiction lines; existing structures on the site and their disposition, and other significant information. Location and dimensions of existing bridges; water, sewer, and other existing utility lines

and structures; culverts (indicating size and type) and other existing features should be indicated.

- n. Proposed layout including lot lines, lot numbers; 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 consecutive numerical order. 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, arc length, degree of curvature, tangent length, chord length, chord bearing, amount of super elevation (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, 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.
- u. All construction drawings and other engineering data shall be prepared and sealed by a Professional Engineer or Landscape Architect currently registered in the State of Georgia, in accordance with the provisions of Georgia Law and as required by these Regulations.
- v. If the development was permitted to install cleanouts within driveway pavement, the Plat shall note that the property owner is responsible for all costs associated with the repair and/or replacement of the sewer line from the cleanout to the City sewer main, which may include repair costs to all landscaping, utilities, and pavement between the damaged cleanout and City sewer main. (Amended 03/12/2020)

#### 10.2.6 Certificate of Development Plans Approval.

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

All requirements of the City of Loganville 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 existing City Regulations.

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Director, Department of Planning and Development

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Date

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

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

10.2.7

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

- a. Erosion Control Plan prepared in accordance with the requirements of the Soil Erosion and Sediment Control Ordinance.
- 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. Stormwater 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' coefficient, 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 the Department, 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 County 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 Zoning Ordinance.
- g. Tree Preservation/Replacement Plan (if required by the Zoning Ordinance).
- h. Floodplain Management Plans. If any floodplain areas are located on the property, such data as is required by the Floodplain Management and Flood Damage Prevention 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 The Final Plat shall be clearly and legibly drawn in black ink on mylar 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 42 inches by 30 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 Gwinnett Clerk of the Superior Court and any sheet that is larger than 15 inches by 17 inches must be photographically reduced to no more than 15 inches by 17 inches in order to be recorded with the Walton Clerk of the Superior

Court.)

- 10.3.2 The Final Plat shall be based on a certified boundary survey delineating the entirety of the property contained within the Final Plat, and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than 1 in 10,000, and shall meet all requirements of Georgia Law regarding the recording of maps and plats.
- 10.3.3 The Final Plat shall substantially conform to the Preliminary Plat and it may constitute only that portion of the approved Preliminary Plat which the subdivider proposes to record at any one time, provided that such portion conforms to the requirements of these Regulations, and said portion is not inconsistent with the public health, safety, or welfare. Any substantial deviation from the Preliminary Plat shall require revision and re-approval of the Preliminary Plat.
- 10.3.4 The Final Plat shall contain the following information:
- a. Name of the subdivision, unit number, Land District, and Land Lot number
  - b. Name, address, telephone number, and contract person of the 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 arrow; notation as to the reference of bearings to magnetic or true 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 applicable rezoning, Special Use Permit, or Waiver affecting the property.
  - h. Location and dimension of any buffer, landscape strip, special setback, no-access easement, etc., required by the Zoning Ordinance or these Regulations. (Amended 03/12/2020)
  - i. Boundary lines of the tract, to be indicated by a heavy line, giving distances to the nearest one- hundredth foot and bearings to the nearest second. Bearing and distance to designated tie point shall be shown. The Plat shall have a closure precision of 1 foot in no less than 10,000 feet.

- j. Municipal or County jurisdictional lines approximately tied to the lines of the subdivision by distance and angles when such lines traverse or adjoin the subdivision; land lot lines traversing or adjoining the subdivision shall also be indicated.
- k. Locations, widths, and names of all streets and alleys within and immediately adjoining the plat, the location and widths of all internal public crosswalks, and all other public rights-of-way.
- l. Street center lines showing angles of deflection and standard curve data including radii, length of arcs chord length, chord bearing and tangents between curves, point of curvature (PC) and point of tangency (PT).
- m. Lot lines with dimensions to the nearest one- hundredth 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 Ordinance may be required to be shown, if deemed necessary by the Department for clarity. (Amended 03/12/2020)
- p. Lots numbered in numerical order.
- q. Location, size and type of all drainage pipe, location and extent of detention ponds, the location and size of all public water mains valves, sampling stations and fire hydrants, the location of all sanitary sewer manholes and sewer lines, 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. A statement indicating the recorded location of the incorporation documents and by-laws for the 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. (Plat book and page)

- 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, along with the stamp, signature and date of a Registered Land Surveyor of current standing for the State of Georgia.
- v. 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.
- w. Street address numbers and street names for subdivision streets and on abutting streets, where appropriate.
- x. 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
- y. All other notes or notations as may be required by the Department.
- z. If the development was permitted to install cleanouts within driveway pavement, the Plat shall note that the property owner is responsible for all costs associated with the repair and/or replacement of the sewer line from the cleanout to the City sewer main, which may include repair costs to all landscaping, utilities, and pavement between the damaged cleanout and City sewer main. (Amended 3/12/2020)

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

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

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

- a. Final Surveyor's Certificate:

It is hereby certified that this plat is true and correct as to the property lines and all improvements shown thereon, and was prepared from an actual survey of the property made by me or under my supervision;

that all monuments shown hereon actually exist, and their location, size, type and material are correctly shown. The field data upon which this plat is based has a closure precision of one foot in \_\_\_\_feet and an angular error of \_\_\_\_\_ per angle point, and was adjusted using \_\_\_\_\_rule. This plat has been calculated for closure and is found to be accurate within one foot in \_\_\_\_feet, and contains a total of \_\_\_\_\_ acres. The equipment used to obtain the linear and angular measurements herein was \_\_\_\_\_.

By: \_\_\_\_\_ (Registered Georgia Land Surveyor)

REG NO: \_\_\_\_\_ DATE OF EXPIRATION: \_\_\_\_\_

b. Owners Acknowledgement and Declaration:

(STATE OF GEORGIA) (COUNTY OF GWINNETT or WALTON as appropriate) (City of Loganville)

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

SUBDIVIDER\_\_\_\_\_ OWNER\_\_\_\_\_

PRINTED NAME\_\_\_\_\_ PRINTED NAME \_\_\_\_\_

DATE \_\_\_\_\_ DATE \_\_\_\_\_

c. Final Plat Approvals

1. Certificate of approval by the director of planning and development of the City of Loganville (text follows):

The Director of Planning and Development certifies that this plat complies with the Zoning Ordinance and Development Regulations of the City of Loganville and has been approved by all other affected City Departments, as appropriate. This plat is approved, subject to the provisions and requirement of the Performance and Maintenance Surety Agreement executed for this project between the owner and the City of Loganville.

By: \_\_\_\_\_

Date: \_\_\_\_\_

Director of Planning and Development: \_\_\_\_\_

2. The City of Loganville Mayor and City Council hereby accept on behalf of the City of Loganville the dedication of all public streets,

easements, and other public facilities located inside the public street rights-of-way together with all public utility and access easements not located in the public street rights-of-way along with any appurtenances shown thereon. This plat is approved subject to the provisions and requirement of the Performance and Maintenance Surety Agreement executed for this project between the owner and the City of Loganville.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

By: \_\_\_\_\_ Mayor, City of Loganville

Attest: \_\_\_\_\_ City Clerk, City of Loganville

(Amended 8/8/2024)

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

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

By: \_\_\_\_\_

TITLE: \_\_\_\_\_

(GWINNETT or WALTON COUNTY HEALTH DEPARTMENT)

e. Public Notice – Drainage:

Every residential Final Plat shall contain the following statements:

1. NOTE: The City of Loganville 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. The City of Loganville does not assume the responsibility for the maintenance of pipes in drainage easements beyond the city public street right-of-way. (Amended 8/8/2024).
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: The City of Loganville 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. The City of Loganville does not assume the responsibility for the maintenance of pipes in drainage easements beyond the City public street right-of-way. (Amended 8/8/2024).
2. NOTE: Stream Buffer Easements are to remain in a natural and undisturbed condition.
3. NOTE: Structures are not allowed in drainage easements.

f. RM-6 and RM-8 Fee-Simple Layout Plan:

Every Final Plat for a subdivision zoned RM-6 or RM-8 proposing single-family detached houses on fee-simple ownership lots shall contain the following statement:

NOTE: Lot layout required on each lot to be approved by the Department prior to a building permit being issued. This lot layout plan must be drawn by a Registered Land Surveyor, architect, or other professional, or may be drawn by the builder on a certified boundary survey of the lot. It must show all proposed improvements and easements on the lot, and must also show the same information on all adjoining lots. It will be the builder's responsibility to ensure that the house is staked out on the site to match the approved lot layout plan. Prior to a Certificate of Occupancy being issued, a record drawing prepared by a Registered Land Surveyor and meeting the above requirements must be submitted for approval.

g. House Location Plans (HLP):

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

HLP - HOUSE LOCATION PLAN

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

- 10.4 HOUSE LOCATION PLAN (HLP)  
(Please refer to section 9.2 of these Regulations for why an HLP may be required.)
- 10.4.1 House Location Plans shall be drawn to scale and may be shown on a certified boundary survey of the lot or any other drawing showing the information required below. The Department may accept a House Location Plan drawn to the same scale as shown on the Final Plat where sufficient detail can be shown to support an adequate review and approval. The House Location Plan may be combined with a Residential Drainage Plan (RDP) if an RDP is required for the lot.
- 10.4.2 It is not the intent of the Department that the House Location Plan be prepared by a registered surveyor or engineer, but may be done by the individual proposing the improvements on the lot. It is the intent, however, to receive a drawing with sufficient readability and accuracy to ensure that the proposed improvements will be constructed on the lot in conformance with the requirements of these Regulations, the Zoning Resolution, or other regulations, as applicable.
- 10.4.3 House Location Plans shall show the following as applicable:
- a. Boundary lines of the lot, giving distances to the nearest one-tenth of a foot and bearings to the nearest minute.
  - b. Location and names of all abutting streets or other rights-of-way.
  - c. Minimum required front, side and rear building setback lines with dimensions, and notation of the existing zoning on the property.
  - d. The accurate 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 flood plain and any applicable buffers or special building setback lines.
- i. All other applicable requirements of the Zoning Resolution or conditions of zoning approval
- j. Name, address, and telephone number of the owner and the person who prepared the HLP.

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

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

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

\_\_\_\_\_  
Department of Planning and Development

\_\_\_\_\_  
Date

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

10.5.1 Residential Drainage Plans shall be drawn to scale on a certified boundary survey of the lot prepared by a Registered Land Surveyor, having an error of closure not exceeding one in 5000. The Residential Drainage Plan may be combined with a House Location Plan (HLP) if an HLP is required for the lot.

10.5.2 Residential Drainage Plans shall show the following as applicable:

- a. Boundary lines of the lot, giving distance to the nearest one-tenth of a

foot and bearings to the nearest mile.

- 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, existing or proposed on the property, and dimensions of buildings and distances between all structures and the nearest property lines as required to located 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 seal level datum. These shall be drawn at intervals of not more than two feet unless otherwise required by the Department 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, 100-year ponding, 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 Professional Engineer or Landscape Architect who prepared the drainage improvements or modifications shown on the RDP.

10.5.3 A Residential Drainage Study (RDS) shall be conducted by the Department prior to issuance of a Building Permit on those lots so noted on the Final Plat. The Residential Drainage Study shall be conducted on the lot after the following has been completed by the builder but prior to the building permit issuance:

- a. Rough grading of the lot.

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

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

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

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

|  |       |
|--|-------|
| _____                                  | _____ |
| Department of Planning and Development | Date  |

## 10.6 SITE DEVELOPMENT PLANS

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

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

10.6.3 Scale

The Development Plans shall be clearly and legibly drawn at an engineering scale convenient to illustrate the details of the project. Sheet size shall not exceed 42 inches by 30 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, and accompanied by, a boundary survey which shall at least meet the requirements of 10.6.4.a. above.

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

- a. Proposed name of development. If the project is located within a subdivision, the name of the subdivision, lot, and block number (if applicable) must also be shown.
- b. Name, address, telephone number and contact person of the owner of record, and of the developer (if not the owner).
- c. Name, address, telephone number and contact person of each professional firm associated with the Development Plans (engineer, landscape architect, etc.)
- d. Date of survey, north arrow, and graphic scale, source of datum and benchmark data, 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 acreage, Land Lot, and Parcel), 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, dumpsters, 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 and parking lot 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, 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 use.
- 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 Zoning Ordinance, 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 (Georgia EPD Permit and City of Loganville Special Use Permit or other approval may be required.
- v. All construction drawings and other engineering data shall be prepared and sealed by a Professional Engineer or Landscape Architect currently registered in the State of Georgia, in accordance with the provisions of Georgia Law and as required by these Regulations
- w. 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 City of Loganville 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.

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Director, Department of Planning and Development

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Date

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

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

- a. 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.
- 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 25-yr hydraulic grade line shall be shown. Profiles of all open channels and ditches including the design flow, normal depth, 25-yr hydraulic grade line 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 the Department.
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 Zoning Ordinance.
  - g. Tree Preservation/Replacement Plan (if required by the Zoning Ordinance).
  - h. Floodplain Management Plans; if any floodplain areas are located on the property. Such data as is required by the Floodplain Management and Flood Damage Prevention Ordinance shall be submitted.
  - i. Private Water System Plans, if any, indicating proposed water main size and location, valves and 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: The City of Loganville 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. The City of Loganville 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/PLACEMENT PLAN SPECIFICATIONS

10.7.1 A Tree Preservation/Replacement Plan shall be required only under the circumstances described in the Zoning Ordinance.

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

## 10.8 BUFFER AND LANDSCAPE PLAN SPECIFICATIONS

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

10.8.2 The Buffer and Landscape Plans shall be prepared in accordance with the specifications contained in the Zoning 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 Ordinance, etc., and to inform and provide the subdivider with the necessary regulations in order to properly accomplish the proposed project. (Amended 03/12/2020)

### 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. 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 a Professional Engineer or Landscape Architect currently registered in the State of Georgia, in accordance with provisions of Georgia Law.
- b. Following submission to the Department of a Preliminary Plat and all drawings required for development permit review, and completion of the initial review by the Departments, a clearing and grubbing permit may be issued at the Developer's request based on a Tree Protection Plan (if required), soil erosion and sedimentation control plan approval, hydrology study, and related construction drawings. The clearing and grubbing permit shall be limited to the area included within the Development Plans and may be further conditioned as deemed appropriate or necessary pending development permit approval.
- c. The Director shall indicate on a review copy of the drawings or in a written memorandum all comments related to compliance of the Development Plans with these Regulations, principles of good design, the Zoning Ordinance, conditions of zoning approval, and the regulations of other City departments and County and State agencies as appropriate. The Director shall have final staff authority to determine the applicability of any and all comments under these Development Regulations, the Zoning Ordinance or conditions of zoning approval. (Amended 03/12/2020)
- 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 un- usability, 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 City 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 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 and receipt of the appropriate fees 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 Ordinance, conditions of zoning approval, and the regulations of other City departments and County and State agencies as appropriate. The Director shall have final staff authority to determine

the applicability of any and all comments under these Development Regulations, the Zoning Ordinance or conditions of zoning approval. (Amended 03/12/2020)

- c. The Director may not approve any Final Plat whereon is shown or by which is otherwise created a lot which would present particularly severe and unusual difficulties for construction of a building, which would clearly require a variance to be reasonably usable, or which is otherwise "unbuildable" due to the presence of floodplain, unusual configuration, lack of Health Department approval, or for any other justified reason.
- d. Lots which would appear to be buildable under certain circumstances and would require further study or additional information before a building permit could be issued, but which present problems or unusual difficulties which can reasonably be addressed or overcome by the lot owner, may be included in the Plat with the appropriate notation of the steps necessary to allow issuance of a building permit (see section 5.9, Lots, of the General Design Standards).
- e. The subdivider shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the comments of the Director.
- f. Final approval by the Director shall not be shown on the Final Plat until all requirements of these and other applicable regulations have been met, and the Director has received a completed request for Approval of Development Conformance and an executed Development Performance and Maintenance Agreement. The Agreement shall be accompanied by a bond, letter of credit or other acceptable surety providing for the maintenance of all installations and improvements required by these Regulations in the subdivision for a period not to exceed 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 the City of Loganville 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, normally accepted construction costs of 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 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 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 Ordinance, and the conditions of zoning approval have been met, and that all other affected departments have approved the plat. The Final Plat shall not be deemed approved until it has been signed by the Director and where use of septic tanks is proposed, by a duly authorized representative of the Health Department (Amended 3/12/2020).
- k. Once the Final Plat has been so certified, the Director shall authorize it to be recorded with the Clerk of the Superior Court of Gwinnett or Walton County as appropriate. 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 the City of Loganville in fee simple, or to Property Owner Associations or Homeowner Associations for park or recreational use, shall be recorded

simultaneously with the Final Plat.

1. Periodically, but no less often than once each month, the Director shall submit a listing of all approved Final Plats to the Mayor and City 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 Ordinance, etc., and to inform and provide the Developer with the necessary regulations in order to properly accomplish the proposed project. (Amended 03/12/2020)

### 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 County requires subsequent design and engineering expenses in the event that the City requires subsequent design and engineering changes.
- c. 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 a Professional Engineer or Landscape Architect currently registered in the State of Georgia, in accordance with the provisions of Georgia Law and as required in these Regulations.

- 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 County and State agencies as appropriate. The Director shall have final staff authority to determine the applicability of any and all comments under these Development Regulations, the Zoning Ordinance or conditions of zoning approval. (Amended 03/12/2020)

Upon completion of the initial plan review, the Director may, at the Developer's request and based on an approved erosion and sedimentation control plan, issue a clearing and grubbing permit for the site.

- c. Copies of the approved Concept Plan shall be provided to the Department for permanent record, in a number as determined by the Director.
- d. Deeds to lands dedicated to the City of Loganville in fee simple, shall be submitted to the Director for approval prior to recording by the Developer. The Developer shall submit a copy of all recorded documents to the Director after properly recorded.
- 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 City 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, 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 4.3.6.b. 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 18 months following the date of Approval of Development Conformance. 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 the City of Loganville have been completed in accordance with the appropriate specifications; or;
  - 2. All of the storm water drainage and detention facilities, water and sewer utilities, street base and curbing construction required for approval of the Certificate of Development Conformance have been properly installed and completed and, for those required Public improvements not yet completed, within areas to be dedicated, (grassing, pavement topping, required landscaping, sidewalks, etc.) a performance bond shall have been filed by the Developer with the Development Performance and Maintenance Agreement, which performance bond shall:
    - a. Be conditioned upon the faithful performance by the Developer of all work required to complete all public

improvements and installation required to be dedicated for the development, or approved portion thereof, in compliance with these rules and regulations within a specified time, not to exceed three months;

- b. Be payable to, and for the indemnification of the City of Loganville;
  - 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, normally accepted construction costs 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 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 Department prior to approval of the Certificate of Development Conformance.
- d. Payment of the required plat recording fee shall be made to the Department prior to approval of the Final Plat.
- e. Once the Department has approved the Certificate of Development Conformance and all other affected departments and agencies of government as required have certified compliance and signed the route sheet, the Director shall certify by his signature on the original of the Certificate of Development Conformance that all of the requirements of these Regulations, the Zoning Ordinance, and the conditions of zoning approval have been met, and that all other affected departments have approved the plat. The Certificate of Development Conformance shall not be deemed approved until it has been signed by the Director and where use of septic tanks is proposed, by a duly authorized representative of the Health Department. (Amended 03/12/2020)

### 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 the near proximity of Walton or Gwinnett County or its municipalities except for extensions of existing subdivisions or developments.
- c. Subdivision and development names may be reserved if submitted and approved along with the Concept Plan for the project.

#### 11.3.2 Street Names

- a. Proposed street names must be reviewed and approved prior to approval of a Final Plat for recording. Street names may be 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.). Directional prefixes (i.e., "North", "South") and the prefixes "old" or "new" shall not be used.
- c. 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 Department.
- d. 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 a reasonable proximity of Walton or Gwinnett County 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.
- e. 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.
- f. 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.
- 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 individual address numbers. The Director will be responsible for numbering 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 unit: 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 mail delivery.

#### 11.4 INITIATION OF DEVELOPMENT ACTIVITIES

##### 11.4.1 Initial Activities Required

Following the issuance of any permit authorizing clearing and grubbing and/or 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 Ordinance, conditions of zoning approval, or other ordinance or regulation shall be designated by orange construction fence or other approved appropriate markings and shall be inspected and approved by the Department prior to the commencement of any clearing or grading activities. (Amended 03/12/2020)

#### 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 a 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 that are not to be removed, all orange construction fencing, 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 inches 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 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. Water and sanitary sewer service locations will be stamped into the freshly formed curb therefore no curbs will be poured unless an Inspector is present.
- 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 the City of Loganville officials or employees and authorization for work continuation shall not transfer responsibility for the quality of the work performed or materials used from the contractor or Developer, nor imply or transfer acceptance of responsibility for project design or engineering from the professional corporation or individual under whose hand or supervision the plans were prepared.

#### 11.4.5 Stop Work Orders

Work which is not authorized by an approved permit, or which is not in conformance to the approved plans for the project, or which is not in compliance with the provisions of these Regulations or any other adopted code, regulation or ordinance of the City of Loganville, 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 or a stop work order is imposed 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 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 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 and Performance 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 of 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 of Loganville, 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 24 months from installation of the wearing course and which time shall be extended equal to any extension of time for the Performance Bond granted by the Director but not to exceed 30 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 Public Utilities Department 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 (plat book and page) by correcting all defects or deficiencies in materials or workmanship.

### ARTICLE 12 FEES

- 12.1 Application filing and permit fees shall be as may be established from time-to-time by the Mayor and City Council.
- 12.2 Permit fees, if any, shall be submitted as a prerequisite to issuance of the permit. Non-payment as a result of submission of a check having insufficient funds on account, or for any other reason, shall cause the permit to be voided and reissuance subject to penalty as may be established by the Mayor and City Council.
- 12.3 Application fees, if any, shall be submitted with the application and upon acceptance of said submission for review and consideration shall not be refundable. Failure to pay a required application fee shall cause the application to be returned to the applicant without acceptance for review or consideration by the

City.

- 12.4 Following the approval of development plans, and prior to authorization to begin construction, the developer shall pay into the Treasury of the City of Loganville such required inspection, sanitary sewer permit charges, curb cut, or other fees as may be established from time-to-time by the Mayor and City Council. Such fees shall not be refundable following issuance of a Development Permit, except upon approval of the Mayor and City Council.
- 12.5 Prior to Approval of Development Conformance for a project, the developer shall provide to the Department such fees for traffic control signs, street name signs, and street striping as shall be required by the Department and established from time-to-time by the Mayor and City Council.
- 12.6 Prior to approval of a Final Plat or Certificate of Occupancy, the Developer shall provide to the 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 City Council.

## ARTICLE 13

### ADMINISTRATION, APPEAL, AND VIOLATIONS

#### 13.1 ADMINISTRATION

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

#### 13.2 REGULATIONS TO BE PUBLISHED

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

#### 13.3 MODIFICATIONS

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

#### 13.5 VIOLATION AND PENALTY

13.5.1 Any responsible party or other persons convicted by a court of competent jurisdiction of violating any provision of these Regulations shall be guilty of violating a duly adopted Ordinance of the City of Loganville and shall be punished either by a fine not to exceed \$500 or by imprisonment not to exceed 60 days, or both. The owner of any lands or parts thereof, where anything in violation of these Regulations shall be placed or shall exist, and each responsible party or other person assisting in the commission of any such violation, shall be guilty of a separate offense.

13.5.2 The court shall have the power and authority to place any person found guilty of violation of these Regulations 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.

13.5.3 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 City 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 MARCH 12, 2020

14.1.1 These regulations shall be in full force and effect on March 12, 2020, following the adoption by the Mayor and City Council of the City of Loganville, Georgia, and shall apply to any land disturbance Permit for which an application is received after the effective March 12, 2020 of these Regulations.

14.1.2 Any subdivision or other project for which a valid and complete application for a Development Permit shall have been received prior to the effective March 12, 2020 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 the City of Loganville in place prior to the effective March 12, 2020 of these Regulations, provided that the Development Permit is or can be issued within 90 calendar days of said effective March 12, 2020 and all time frames associated with said permit are observed.

14.1.3 Any subdivision or other project for which a Development Permit has been issued prior to the effective March 12, 2020 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 the City of Loganville in place prior to said effective March 12, 2020.

14.1.4 Any subdivision or other project for which only a Clearing, Clearing and Grubbing, or Grading Permit shall have been issued prior to effective March 12, 2020 of these Regulations shall be brought into conformance with these Regulations prior to issuance of a Development Permit. Administrative modifications in accordance with Article 13 shall be granted as necessary and appropriate where full compliance is not feasible or cannot reasonably be achieved because of the stage of development, limitations imposed by the site, or design parameters.

14.1.5 Nothing in these Regulations shall be construed to affect the validity of any building permit lawfully issued prior to the effective March 12, 2020 of these Regulations

#### 14.2 AMENDMENTS

14.2.1 These Regulations may be amended from time-to-time by resolution of the Mayor and City Council of the City of Loganville. Such amendments shall be effective as of their March 12, 2020 of adoption unless otherwise stated in the adopting resolution.

14.2.2 Any subdivision or other project for which a valid and complete application for a

Development Permit shall have been received prior to the adoption of an amendment to these Regulations may, at the Developer's option, proceed to completion and building permits may be issued as though no amendment had been approved, provided that the Development Permit is or can be issued within 90 calendar days of said amendment and all-time frames associated with said permit are observed.

14.2.3 Any subdivision or other project for which a Development Permit has been issued prior to the adoption of an amendment to these Regulations may, at the Developer's option, proceed to completion and building permits may be issued as though no amendment had been approved.

14.2.4 Any subdivision or other project for which only a Clearing, Clearing and Grubbing, or Grading Permit shall have been issued prior to adoption of an amendment to these Regulations shall be brought into conformance with the amendment (if applicable) prior to issuance of a Development Permit. Administrative modifications in accordance with Article 13 shall be granted as necessary and appropriate where full compliance is not feasible or cannot reasonably be achieved because of the stage of development, limitations imposed by the site, or design parameters.

14.2.5 No amendment to these Regulations shall be construed to affect the validity of any building permit lawfully issued prior to the adoption of said amendment.

#### 14.3 SEVERABILITY

If any section, subsection, sentence, clause, or phrase of these Regulations is for any reason held to be unconstitutional or void, the validity of the remaining portions of these Regulations shall not be affected thereby, it being the intent of the Mayor and City Council of the City of Loganville 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 the City of Loganville, 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 the City of Loganville adopted as a requirement of a State Law, in which case the most restrictive requirement shall control.