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ORDINANCE NO. 6168

AN ORDINANCE TO AMEND TITLE 8 OF THE AUGUSTA-RICHMOND COUNTY CODE SO AS TO AMEND CHAPTER 8 ENTITLED "SITE PLAN REGULATIONS" TO INCORPORATE THE SITE PLAN REGULATIONS ADOPTED ON JUNE 1, 1999; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE AUGUSTA-RICHMOND COUNTY COMMISSION AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF SAME AS FOLLOWS:

Section 1. The Augusta-Richmond County Code, Title 8, § 8-8-1 is hereby amended by deleting said paragraph in its entirety and substituting in lieu thereof the following:

§ 8-8-1. INCORPORATION OF SITE PLAN REGULATIONS.

The Site Plan Regulations for Augusta, Georgia, as adopted on June 1, 1999, and as attached hereto, are included as an Appendix to this Code and are hereby incorporated into this section as if set out in full herein.

Section 2. This ordinance shall become effective upon adoption.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Duly adopted this 18th day of May, 1999.

Handwritten signature of the Mayor over a horizontal line.

Mayor

ATTEST: Handwritten signature of the Clerk over a horizontal line.
CLERK

1st Reading May 18, 1999
2nd reading June 1, 1999

SITE PLAN REGULATIONS FOR
AUGUSTA, GEORGIA

AN ORDINANCE regulating the development of land in Augusta, Georgia; requiring and regulating the preparation and presentation of plans for such purpose; establishing minimum design standards; requiring minimum improvements to be made or guaranteed to be made by the developer; setting forth the procedure to be followed by the Planning Commission in applying these rules, Regulations, and standards; and prescribing penalties for the violation of these rules, Regulations, and standards; and for other purposes.

BE IT ORDAINED by the Augusta-Richmond County Commission, Augusta, Georgia, that:

WHEREAS, the Augusta-Richmond County Commission was authorized by the Home Rule Provision of the Constitution of the State of Georgia of 1983 to: Establish Planning Commissions; provide for the preparation and amendment of Overall Plans for the orderly growth and development of municipalities and counties; provide for the Regulations of structures on mapped streets, public building sites, and public open spaces; repeal conflicting laws; and for other purposes; and

WHEREAS, the Planning Commission, created and organized under the terms of the aforementioned Home Rule Provision, has made a study and analysis of the areas of Augusta and the said study and analysis now are complete and Site Plan Regulations for the purposes described in the title of this Ordinance are now ready for adoption; and

WHEREAS, the Augusta-Richmond County Commission has held a public hearing on the proposed Site Plan Regulations in compliance with Local Ordinances.

THEREFORE, BE IT ORDAINED by the Augusta-Richmond County Commission as follows:

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ARTICLE I

General

Section 100. Short Title. This Ordinance shall be known as the “Site Plan Regulations for Augusta, Georgia”. It is included by reference in the Augusta-Richmond County Code at Title 8, Chapter 8.

Section 101. Content and Purpose. These Regulations require and regulate the preparation of Site Plans, establish minimum design standards for site development, set forth the procedures to be followed in applying these Regulations, provide penalties for violation of these Regulations, and set forth other matters pertaining to the development of land.

The Site Plan Regulations are adopted for the following purposes, and for other purposes:

- A. To encourage the development of an economically sound stable community, so as to help conserve and protect the natural, economic, and scenic resources of Augusta, Georgia;
- B. To protect Augusta, Georgia from the potential negative impacts of converting land from its natural state to urban land uses;
- C. To assure safe and convenient traffic access and circulation, and to minimize the impact of land development on traffic safety and congestion;
- D. To assure that all buildings and other construction within the scope of these Regulations are provided with adequate fire protection and are accessible by all types of emergency vehicles;
- E. To assure that the aesthetic qualities of the community are not degraded by the development of land.
- F. To encourage the wise development of the community in harmony with the Comprehensive Plan.

Section 102. Application. Within the jurisdiction of Augusta, Georgia, except as herein provided, a building permit under the provisions of the Augusta-Richmond County Code, Title 7, Article 5, for the purpose of constructing or expanding a structure that is not a single family house or related thereto shall only be issued upon the presentation of a Site Plan that has been approved by the Staff of the Augusta-Richmond County Planning Commission (Planning Commission). Such Site Plan shall be drawn to scale, showing accurately the dimensions and location of the following: property lines, easements, utilities, structures, signs, off-street parking, driveways, detention/retention facilities and

any other information that may be necessary to the administration and/or enforcement of the Ordinance. Such Site Plan shall be submitted to the Staff of all applicable departments of Augusta, Georgia and other entities that are deemed appropriate and they shall review and approve said Site Plan before it is approved by the Staff of the Planning Commission.

Section 103. Exemptions. The Executive Director of the Planning Commission may exempt certain types of development from the provisions of these Regulations or parts thereof if, in his opinion, there is little or no likelihood that adverse impacts could result from the proposed development. The Executive Director may request such information as he deems necessary to support such a proposal. Development that may be so exempted shall include the following:

- construction of small buildings or additions to existing buildings less than one thousand (1000) square feet in area;
- construction of parking areas containing less than five parking spaces or unpaved parking areas that do not provide required parking;
- signs;
- single, or individual duplex residential structures
- temporary location of manufactured buildings for use as offices, showrooms, etc. with a maximum time limit of six months;
- construction on land owned by the United States of America or the State of Georgia;
- development that is similar to any of the above.

ARTICLE II

Procedures for Approval of Site Plans

Section 200. Staff Conference/Sketch Plan. Although it is not required, an owner, developer, or contractor (applicant) may request a Staff discussion regarding a proposed project, or he may submit a Sketch Plan. A Sketch Plan may provide whatever level of detail the applicant feels appropriate, and he may discuss it with the Staff of the Planning Commission in order to obtain a better understanding of how the ordinances and Regulations would apply to his proposal. A Staff conference shall be scheduled by the Staff within five working days of receiving a request. Sketch Plans shall serve as a subject for discussion only, and they shall not be approved, denied, corrected, or otherwise acted upon.

Section 201. Staged Approval for Site Plans. If a proposal is to develop only a portion of a site or a large tract initially, the Site Plan submitted for approval shall be accompanied by a Conceptual Plan for the remainder of the site. The Conceptual Plan shall show at a minimum the proposed circulation pattern, contours, buildings, and drainage plan. The Executive Director may waive this requirement upon a finding that such a complete layout is impractical and not necessary to carry out the intent and purpose of these Regulations. If a site is proposed to be developed in sections as noted above, then each section must stand on its own merit. All retention, parking, and ingress/egress facilities needed to adequately serve a specific section shall be constructed as part of the section that is submitted for approval.

Section 202. Approval Process for Site Plans. The following step by step procedure for approval of a Site Plan shall be followed:

- A. Written application for approval of a Site Plan shall be made in the office of the Planning Commission. This application shall be made on forms provided for this purpose and it shall include whatever assurances, disclosures, and other information that are required by the Staff prior to acceptance of an application. The application shall include the appropriate number of copies of the Site Plan, prepared and certified by a civil engineer, or architect, drawn to the specifications found in Article III of this document, and it shall also include an executed "indemnity" form regarding retention basins. The application shall be accompanied by a check in the amount of the fee adopted by the Planning Commission.
- B. The Planning Commission shall have thirty (30) days within which to make a decision on an application that was accepted by the Staff as a complete application. The Staff may reject an application if it is deemed to be incomplete. Such decision may be to approve, approve with conditions, approve in part, deny,

request additional information, or to require corrections. In situations where a decision of the Planning Commission results in a Site Plan being resubmitted, the Planning Commission shall have thirty (30) additional days to act on the resubmitted Site Plan, beginning on the date of resubmission. The thirty (30) day period shall not apply if the applicant files a letter agreeing to such with the Planning Commission. The action of the Planning Commission shall be expressed in writing, a copy of which shall be provided to the applicant.

- D. Approval of a Site Plan shall be valid for two years from the date of approval, after which a new Site Plan must be submitted per Section 202 of these Regulations. The Executive Director may exempt an applicant from certain provisions of these Regulations if some development of the site has occurred, the applicable rules are essentially unchanged from the time of approval, and no more than four years have passed since the initial approval.
- E. An architect or civil engineer shall produce, certify, and submit fourteen (14) complete sets and one cover sheet of the Site Plan to the Planning Commission at the time of application. Upon acceptance of the application, the Planning Commission Staff shall forward for review such copies as follows:
 - 1. Three (3) copies shall be filed with Public Works Department.
 - 2. Three (3) copies shall be filed with the Utilities Department if the subdivision is to be served with public water and/or sewer.
 - 3. One (1) copy shall be filed with the Traffic Engineer.
 - 4. One (1) copy shall be filed with the Fire Department.
 - 5. One (1) copy shall be filed with the Soil Conservation Service.
 - 6. One (1) copy shall be filed with the Board of Health.
 - 7. One (1) copy shall be retained by the Planning Commission.
 - 8. Two (2) copies shall be returned to the applicant after hearing by the Planning Commission and shall be stamped in accordance with the approval of the Planning Commission.
 - 9. One (1) copy shall be filed with the Trees and Landscape Department.
- F. Reports shall be submitted to the Planning Commission by all departments and agencies to which Site Plans are directed, and such reports shall become part of the findings of the Planning Commission.
- G. All requests for Site Plan approval shall be accompanied by an 18 months warranty agreement and deed(s) of dedication for all streets, land, easements, storm drainage, sanitary sewer systems and water systems that are to be conveyed to Augusta, Georgia. The form of these documents shall be approved by the City Attorney. These documents shall be fully executed by the grantor with the date blank to be filled in by the Commission with the date of acceptance of the deeds of dedication. Acceptance of streets and other improvements shall be accompanied by executing the deeds of dedication.

- H. A pre-construction conference may be required by the City Engineer at his discretion. A notation on the Site Plan will be made to that effect when such a conference is required. Construction pursuant to the Site Plan shall not commence until the conference has been held.

ARTICLE III

Data to be Submitted, Design Guidelines, and Inspections

Section 300. Size and Scale of Drawings. Site Plans shall be drawn to scale no smaller than one inch equals 100 feet. Where large sites are being planned, they may be drawn on one or more sheets. No drawing shall exceed 36 inches by 48 inches in size.

Section 301. Information to be Included. The following information shall be included on each Site Plan.

- Name of development, type of business, building square footage and parking required and parking provided.
- Owner (name, address, and telephone number).
- Developer (name, address and telephone number).
- Date of survey, date plan drawn, and revision dates as applicable.
- Seal and signature of a registered engineer.
- North arrow with reference.
- Scale (no less than 1" = 100')
- Tax parcel number
- Zoning classification
- Use and zoning of all adjacent parcels with owner(s) name(s)
- Location of proposed business signage
- Existing and proposed elevations referenced to mean sea level, with a contour interval of 2 feet, accurate to one-half contour to indicate surface drainage patterns.
- Source of datum (benchmark used: GS benchmark, if available), and location of BM or TBM at the site.
- Existing and proposed pavement width and right-of-way width of any existing streets adjacent to the development and distances to nearest intersection.
- Acreage of property and acreage of area to be developed.
- Location sketch (scale no less than 1" = 2000').
- All boundaries heavily lined with bearings and distances shown, accurate reference to Augusta and/or geodetic control points which are defined by state plane coordinates unless the sum of the length of the lines constituting the boundary of the site is greater than the traverse distance along public roads to such control. If such reference is not furnished, then a locator tie, defined as a bearing and distance tie from a property corner to a point that can be accurately spotted on the ortho photo maps shall be furnished.
- Plan and profile of storm sewers on a scale of no less than 1" = 100' horizontally, 1" = 10' vertically. Elevation based on mean sea level.
- Detail plan of all entrances, driveways, roadways, etc., that connect to existing county roads. (Connections to State Highways will require permits from Georgia Department of Transportation.)

- Minimum building lines (front, side and rear), existing easements and proposed easements shown.
- Acreage of all on-site and off-site drainage areas contributing to flow through the project.
- Storm water management plan.
- Heavy outline of 100 year flood plain and note thereof. Any disturbances within flood plain limits must comply with the City Flood Ordinance. If the property is not in a 100 year flood plain then write a note stating that.
- Finished floor elevation of buildings a minimum of 2.0 feet above established 100 year flood elevation, if applicable.
- Sanitary sewers and manholes.
- Soil Erosion and Sediment Control Plan required for any site over 1.1 acres. A statement from local Tax Official that ad valorem taxes owed and due have been paid is required. A SESC Plan Review Checklist is required. A Soil Erosion and Sediment Control Plan is recommended for all sites.
- Potable water distribution system plan.
- A note to the effect that "All drainage easements and disturbed areas must be grassed and/or rip-rapped as required to control erosion."
- A note to the effect that "All construction within Augusta rights-of-way shall conform to Augusta, Georgia Standards and Specifications."
- A note to the effect that "All silt barriers must be placed immediately following clearing. No grading shall be done until silt barriers installation is completed."
- Note on drawings: "Contractor shall contact the Inspection Division of the Public Works Department at least 48 hours prior to starting work on the project."
- A statement of the following: "I am the owner of the property affected by this Subdivision Development Plan. Prior to approval of the Final Plat, I will submit a notarized statement as follows: 'I certify that the site improvements are complete and in accordance with the approved plans and specifications.' This certification will be based on observations of and supervision of construction by my representative or me. I understand that the Certificate of Occupancy will not be approved until this certification has been made."
- The location of known gravesites and cemeteries located on the property. If grave sites or cemeteries are discovered during construction, information must be submitted to the Planning Commission immediately (See O.C.G.A. §36-72-1 et seq.).
- The location of stop signs (and other traffic control devices as required by the Traffic Engineer) including a statement to the effect that "The developer shall be responsible for the initial installation of the signs."
- Fence or Indemnity Form is required for all detention or retention areas which are not wholly contained in a parking lot.
- Provide at least one copy of pipe sizing, detention/retention sizing and other calculations required for review of this plan.
- Landscape plan and summary sheet.
- Hydrology studies for both Public Works and Soil Conservation Service, as applicable.

- Each individual water service line shall be protected by a minimum double-check back flow device.
- A note to the effect that "Approval by Augusta, Georgia is for the improvements shown in the Site Plan. Any variation from the approved Site Plan must be approved by the City Engineer."
- For any Site Plan that includes wetlands shown on the National Wetlands Inventory Maps or subject to permitting by the US Army Corps of Engineers under Section 404 of the Clean Water Act of 1977, the following must be submitted:
 - Location, dimensions and area of all impervious surfaces, both existing and proposed, on the site.
 - The orientation and distance from the boundaries of the proposed site to the nearest bank of an affected perennial stream or water body.
 - A delineation of any wetland areas shown on the National Wetlands Inventory Maps as subject to permitting by the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act of 1977. Evidence that proper permits have been granted by the Corps shall be required before a Site Plan may be approved. National Wetland Inventory Maps are available at the office of the Planning Commission to assist in making this determination.
 - Calculations of the amount of cut and fill proposed and cross-sectional drawings showing existing and proposed grades in areas of fill or excavation. Elevations, horizontal scale and vertical scale must be shown on cross-sectional drawings.
 - Location and detailed design of any spill and leak collection systems designed for the purpose of containing accidentally released hazardous or toxic materials
- A 24 hour local contact person.
- A descriptive note providing the following information:
 - Outfall(s) Information - Location, size and shape
 - Land Use - Commercial, Industrial, Residential, etc.
 - Acreage of on-site and off-site drainage areas contributing to discharge from development
 - Acreage of Impervious Drainage Area
 - Name of Receiving Drainage Basin
- A descriptive note describing any permanent or temporary Best Management Practices (BMP's) used to impact or target Water Quality.
- A descriptive note as follows: "The cost of inspection by the City of Augusta-Richmond County's Department of Public Works and Engineering, before or after regular working hours, on Saturdays, Sundays or Legal Holidays, shall be paid for by the individual requesting the inspection at a rate of 1 ½ times the regular salary per hour of the inspector plus 7.65% from the employer's FICA/Medicare match. Approval for the inspection outside of normal working hours shall be obtained from the County Engineer 48-hours in advance. Prior to the commencement of work requiring inspection outside of normal working hours, the individual requesting the inspection shall sign a form which is furnished by the Department of Public Works and Engineering agreeing to pay the overtime. The individual requesting the inspection shall sign a form which is furnished by the Department of Public Works and Engineering agreeing to pay the overtime. The individual requesting the

inspection will be billed by the Department of Public Works and Engineering for payment."

- A general note as follows: "A preconstruction conference shall be held with the City Engineer or his designated representative prior to beginning construction. This meeting shall be scheduled with the Department of Public Works at the time the notification of work commencement is given."

Section 302. Utility, Drainage, and Street Improvements.

- A. Utility, drainage, and street improvements shall be designed and constructed to conform to standards set forth in this document and in the other documents listed in Section 304.
- B. If a Site Plan includes street or road improvements, then it shall also be considered administratively as a subdivision of land and the procedures set forth in the Subdivision Regulations shall also apply.
- C. The governmental water supply shall be utilized where governmental water supply is available within one thousand (1,000) feet of the property, unless it can be demonstrated to the Utilities Department that it is economically unfeasible to do so.
- D. The Site Plan shall provide for connecting to the governmental sanitary sewerage system where a governmental sanitary sewerage system is available within five hundred (500) feet of the nearest point of the project unless it can be demonstrated to the Board of Health that it is economically unfeasible to do so.
- E. The Governing Body Commission shall not be responsible for any internal drainage or required drainage connections to publicly maintained drainage facilities, streams, or other outlets having constant flow. The Commission shall not be responsible for off-site acquisition of drainage or utility easements. This does not imply that the developer will be responsible for the maintenance of these facilities if they are subsequently deeded to Augusta, Georgia.
- F. Sidewalks may be required by the City Engineer, but they are not required as a minimum standard. Sidewalks, where installed, shall meet the construction standards of the City Engineer.

Section 303. Zoning Standards. A Site Plan shall identify the proposed land use and use of each specific building and other structures. The Site Plan shall conform to all provisions of the Comprehensive Zoning Ordinance as to land use, parking, setbacks, fences, buffers, signs, driveways and other features regulated by the Zoning Ordinance.

Section 304. Design Guidelines. Design guidelines and construction standards are provided by the following documents:

- Comprehensive Zoning Ordinance
- Land Subdivision Regulations
- Site Plan Regulations
- Stormwater Ordinance
- Stormwater Management Plan, Technical Manual
- Street and Road Design Technical Manual
- Tree Ordinance
- Flood Damage Prevention Ordinance
- Soil Erosion and Sediment Control Ordinance
- Grading Ordinance
- Groundwater Recharge Area Protection Ordinance
- Water Supply and Watershed Ordinance
- Augusta Utilities Department Design Standards
- Rights-of-Way Encroachment for Utilities Guidelines

Section 305. Inspection. After a Site Plan has been approved, periodic inspections shall be made by the Planning Commission, the Department of Public Works, the Richmond County Health Department, and other departments and agencies of Augusta, Georgia. The purpose of these inspections shall be to assure that construction is consistent with the site plan. Any variation from an approved Site Plan must be approved by the Planning Commission.

ARTICLE IV

Miscellaneous

Section 400. Hardships and Variances. Variances to certain provisions of this Ordinance may be granted on the basis of hardship. Variances to the procedures set forth may be granted by the Planning Commission upon a finding that such variance would not adversely affect public health, safety and welfare, and that failure to grant such variance would result in unnecessary hardship for the applicant. Variances to design standards, technical specifications, and construction materials shall be considered by the Department of Public Works under the same hardship standards.

Section 401. Penalty. Any person or corporation whether as principal, agent, employee, or otherwise who violates any provision of this Ordinance shall be guilty of an offense and upon conviction shall be punished as provided in Augusta-Richmond County Code § 1-6-1.

Section 402. Amendments. Amendments to these Regulations shall be proposed by the Planning Commission or shall be submitted to the Planning Commission for approval before being adopted by the Augusta-Richmond County Commission.

Augusta, Georgia, may adopt amendments to these Regulations, providing that a public hearing thereon shall first be held by the Planning Commission, public notice of which hearing shall be given at least fifteen (15) days prior to such hearing.

Section 403. Severability. Any clause or provision of these Regulations declared invalid by any court having jurisdiction shall not affect the validity of the Regulations as a whole or any other part thereof.