

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 291

AMENDED AND RESTATED SUBDIVISION ORDINANCE

AN ORDINANCE to amend and restate in its entirety Ordinance No. 37, as heretofore amended, to regulate the subdivision of land within the City of Lookout Mountain, to set forth requirements for the preparation and presentation of preliminary and final plats, to establish minimum subdivision design standards, to set forth minimum improvements to be made or guaranteed by the subdivider, to set forth procedures to be followed by the Municipal Planning Commission in applying these regulations, and for other purposes.

BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and IT IS HEREBY ORDAINED:

ARTICLE I

Section 101. Short Title.

These Regulations shall be known and may be cited as the “Land Subdivision Regulations of the City of Lookout Mountain, Georgia.”

Section 102. Purpose and Intent.

These Regulations are enacted pursuant to the authority contained in the Constitution of the State of Georgia (including that set forth in Article III, Section VI, Paragraphs I and II(a)(1) and Article IX, Section II, Paragraphs III and IV) and in Official Code of Georgia Annotated Section 36-70-1, et seq., for the following purposes, among others:

- (A) To encourage economically sound and stable land development;
- (B) To assure provision for required streets, utilities, and other facilities and services to land developments;
- (C) To assure adequate provision for safe and convenient traffic access and circulation, both vehicular and pedestrian, in land developments;
- (D) To assure provision for needed public open spaces and building sites in land developments through the dedication or reservation of land for recreational, educational, and other public purposes; and
- (E) To assure that land is developed in conformity with the Master Plan of the City of Lookout Mountain.

ARTICLE II

Section 201. Definitions.

When used in these Regulations the following words and phrases shall have the meaning given in this Section. Terms not herein defined shall have their customary dictionary definitions where not inconsistent with the context. The term “shall” is mandatory. When not inconsistent with the context, words used in the singular number include the plural and those used in the plural number include the singular. Words used in the present tense include the future.

(A) “Lot” – A portion or parcel of land separated from other portions or parcels by description as in a subdivision plat or record of survey map or as described by metes and bounds, and intended for transfer or for building development. For the purpose herein, the term does not include any portion of a dedicated right of way.

(B) “Planning Commission” – is the City of Lookout Mountain Municipal Planning Commission.

(C) “Street” – is a way for vehicular traffic, whether designated as an avenue, boulevard, road, highway, expressway, lane, or other way, and for the purposes of these Regulations “Streets” are divided into the following categories:

- (1) “Major Streets” – state highways and those streets designated as major streets on the official map of the City of Lookout Mountain, Georgia.
- (2) “Collector Street” - a street within a subdivision used to carry traffic from the “Minor Streets” to the “Major Streets.”
- (3) “Minor Street” - a street used primarily for access to abutting properties. A street may be a “Minor Street” even though it is the principal entrance and circulation of a subdivision.
- (4) “Cul-de-Sac” – a “Minor Street” having one end open to traffic and the other end permanently terminated in the minimum right of way and paved turn around specified in Sec. 10-39 of these Regulations.
- (5) “Marginal Access Street” – a minor street parallel and adjacent to major streets and which provides access to abutting properties with protection from through traffic.
- (6) “Limited Street” - A street used primarily for access to no more than two residential lots with one end opened to traffic and the other end permanently terminated with a turnaround specified in Sec. 10-43 of these Regulations.

(D) “Subdivider” – is the person, firm or corporation having such a proprietary interest in the land to be subdivided as will authorize the maintenance of proceedings to

subdivide such land under these Regulations, or the authorized agent of such person, firm or corporation.

(E) "Subdivision" – means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land involving a new street or a change in existing streets, and, includes resubdivision and where appropriate to the context, relates to the process of subdividing or to the land or area subdivided:

Provided, however, that the following are not included within this definition:

- (1) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the City as contained in the Zoning Ordinance;
- (2) The division of land into parcels of five acres or more where no new street is involved.

ARTICLE III: PLATTING JURISDICTION, ENFORCEMENT

Section 301. Platting Authority.

From and after the passage of these Regulations, the Planning Commission shall be the official platting authority, and no plat of a land subdivision shall be entitled to record in the office of the Clerk of Court of Walker County unless it shall have the approval of the Planning Commission inscribed thereon. The filing or recording of a plat of a subdivision without the approval of the Planning Commission as required by these Regulations is declared to be a misdemeanor.

Section 302. Use of Plat.

No lot or lots within a subdivision shall be sold unless the plat of such subdivision has been given final approval by the Planning Commission and such approved plat has been recorded in the office of the Clerk of the Superior Court of Walker County.

Section 303. Opening and Improving Public Streets.

The City will not accept, lay out, open, improve, grade, pave or light any street, which had not attained the status of a public street prior to the effective date of these Regulations, unless such street corresponds to the street location shown on an approved subdivision plat or on an official road map adopted by the Planning Commission.

Section 304. Erection Of Buildings.

No building permit shall be issued and no building shall be erected on any lot unless the street giving access thereto has been accepted as a public street in accordance with these Regulations, or unless such street had attained the status of a public street prior to the effective

date of these Regulations, or unless a bond or other surety has been posted pursuant to Article XIV of this ordinance.

ARTICLE IV: PREAPPLICATION PROCEDURE

Section 401. Preapplication Review.

Whenever the subdivision of a tract of land is proposed, the subdivider is urged but not required to consult with the Planning Commission. The subdivider may submit sketch plans and data showing existing conditions within the site and in its vicinity and the proposed development layout of the subdivision.

Section 402. Payment of Taxes.

Before any request for the subdivision of a tract of land may be considered, all ad valorem taxes and any other taxes or charges owing either to the City of Lookout Mountain or to Walker County with respect to the property to be subdivided must be current. The Planning Commission may require the subdivider to provide written verification from the City of Lookout Mountain and/or Walker County that all taxes, interest, penalties, attorneys' fees and other charges due and owing with respect to the property have been paid in full.

ARTICLE V: PROCEDURE FOR TENTATIVE APPROVAL OF PRELIMINARY PLAT

Section 501. Application for Preliminary Plat Approval.

Following the preapplication review of a proposed subdivision, the subdivider shall submit to the Planning Commission at least fifteen (15) days prior to the next regular meeting of the Planning Commission, the following:

- (A) A letter requesting review and approval of a Preliminary Plat and giving the name and address of a person to whom the notice of the hearing by the Planning Commission on the Preliminary Plat shall be sent.
- (B) Five copies of the Preliminary Plat and any other related documents.

Section 502. Review of Preliminary Plat.

The Planning Commission shall check the plat for conformance to these Regulations and shall afford a hearing on the Preliminary Plat, notice of the time and place of which shall be sent by the Chairman of the Planning Commission by registered or certified mail to the person designated in the letter requesting Preliminary Plat review and approval, not less than 5 days prior to the date of the hearing.

Thereafter, the Planning Commission shall give tentative approval or disapproval of the Preliminary Plat. A notation of the action shall be made on two copies of the Preliminary Plat, including a statement of the reasons for disapproval if the Preliminary Plat is disapproved. One

copy shall be returned to the subdivider or his agent and one copy added to the records of the Planning Commission.

Approval of a Preliminary Plat does not constitute approval of a Final Plat. It indicates only approval of the layout as a guide to the preparation of the Final Plat. Preliminary Plat approval shall expire and be null and void after a period of one year unless an extension of time is requested by the subdivider or his representatives and is approved by the Planning Commission.

If action on a Preliminary Plat is not taken by the Planning Commission within 30 days of the date of submittal, the Preliminary Plat shall be considered approved and a certificate of approval shall be issued on demand. However, the applicant for approval may consent to an extension of time.

ARTICLE VI: PRELIMINARY PLAT SPECIFICATIONS

Section 601. Scale.

The Preliminary Plat shall be clearly and legibly drawn at a scale not smaller than 100 feet to one (1) inch.

Section 602. Sheet Size.

Sheet size shall be 17 x 21 inches. If the complete plat cannot be shown on one sheet of this size, it may be shown on more than one sheet with an index map on a separate sheet of the same size.

Section 603. Ground Elevations.

The Preliminary Plat shall show ground elevations, based on the datum plane of the U.S. Coast and Geodetic Survey with contour lines at intervals of not more than five (5) feet, provided that the Municipal Planning Commission may, on a case by case basis, for good cause shown, accept and approve plats with no ground elevations or with contour lines at intervals of more than five (5) feet.

Section 604. Information To Be Provided on Preliminary Plat.

The Preliminary Plat shall contain the following information:

- (A) Name and address of owner of record and of subdivider.
- (B) Proposed name of subdivision and its acreage.
- (C) North point and graphic scale and date.
- (D) Vicinity map showing location and acreage of the subdivision.
- (E) Exact boundary lines of the tract of bearings and distances.

- (F) Names of owners of record of adjoining land.
- (G) Existing streets, utilities and easements on and adjacent to the tract.
- (H) Proposed layout including streets and alleys, to be reviewed by a registered engineer, with proposed street names, lot lines with approximate dimensions, easements, land to be reserved or dedicated for public uses, and any land to be used for purposes other than single-family dwellings.
- (I) Block numbers, if any, and lot numbers.
- (J) Provisions for water supply, fire hydrants, sewerage, and drainage to be reviewed by a registered engineer.
- (K) Minimum building front yard setback lines.
- (L) Such street cross-sections and center-line profiles as may be required by the County or Planning Commission.

Section 605. Certificate of Preliminary Approval.

A Certificate of Approval of the Preliminary Plat by the Planning Commission shall be inscribed on the plat as follows:

“Pursuant to the Land Subdivision Regulations of the City of Lookout Mountain, Georgia, all the requirements of Preliminary Approval having been fulfilled, this Preliminary Plat was given Preliminary Approval by the City of Lookout Mountain Planning and Zoning Commission on _____, 19 _____

This Preliminary Approval does not constitute approval of a Final Plat. This Certificate of Preliminary Approval shall expire and be null and void on _____”.

(Date)

(Date)

Chairman
City of Lookout Mountain
Municipal Planning Commission

ARTICLE VII: FINAL PLAT PROCEDURE

Section 701. Application for Final Plat Approval.

After the Preliminary Plat of a proposed land subdivision has been given tentative approval by the Planning Commission, the subdivider may, within one year from tentative approval, submit to the Planning Commission:

(A) A letter requesting review and approval of a Final Plat and giving the name and address of the person to whom the notice of the hearing by the Planning Commission on the Final Plat shall be sent.

(B) Five copies of the Final Plat and other related documents, as specified in this article.

Section 702. Review of Final Plat.

The Planning Commission shall check the Final Plat for conformance with the tentatively approved Preliminary Plat, and with the rules and regulations of these Regulations and shall afford a hearing on the Final Plat, notice of the time and place of which shall be sent by the Planning Commission by registered or certified mail to the person designated in the letter requesting Final Plat review and approval, not less than 5 days prior to the date of hearing.

Thereafter, the Planning Commission shall approve or disapprove the Final Plat. A notation of the action shall be made on the original tracing and two prints of the Final Plat, including a statement of the reasons therefor if the Final Plat is disapproved. If action is not taken by the Planning Commission within a reasonable time, not to exceed 30 days from the date of the submittal of the Final Plat, the Final Plat shall be considered approved and a Certificate of Approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

Section 703. Recording of Final Plat.

Upon approval of a Final Plat, the subdivider shall have the Final Plat recorded in the office of the Clerk of Court of Walker County.

ARTICLE VIII: FINAL PLAT SPECIFICATIONS

Section 801. The Final Plat Shall Conform to and Meet the Specifications.

The Final Plat shall conform to and meet the specifications of the Preliminary Plat, with the following additions:

(A) The Final Plat shall be clearly and legibly drawn in permanent ink on tracing cloth, drafting film or other approved material. Sheet sizes shall be 17 x 21 inches and where more than one sheet is required an index map shall be required on the same size sheet. The Final Plat shall show:

- (1) Bearings and distances to the nearest existing street center lines and bench marks or other permanent monuments (not less than three) shall be accurately described on the plat.
- (2) Municipal, County and land lot lines accurately tied to the lines of the subdivision by distances and angles when such lines traverse or are within 200 feet to the subdivision.

- (3) Exact boundary lines of the tract, determined by a field survey performed by registered land surveyor.
- (4) Name of subdivision, exact locations, widths, and names of all streets and alleys within and immediately adjoining the Plat.
- (5) Street center-lines showing angles of deflection, angles of intersection, radii, and lengths of tangents.
- (6) Lot lines with dimensions to the nearest one-tenth foot and bearings to the nearest minute.
- (7) Lots numbered in numerical order and blocks, if any, lettered alphabetically.
- (8) Location, dimensions, and purposes of any easements and any areas to be reserved or dedicated for public use.
- (9) Accurate location, material, and description of monuments and markers.
- (10) Accurate location of fire hydrants, water supply, sewage and drainage.
- (11) A statement, either directly on the Plat or in an identified attached document, of any private covenants and restrictions.

a. An Engineer's or Surveyor's Certification, directly on the Final Plat as follows:

“It is hereby certified that this Plat is true and correct and was prepared from an actual survey of the property by me or under my supervision; that all monuments shown hereon actually exist, and their location, size, type and material are correctly shown; and that all engineering requirements of the Land Subdivision Regulations of the City of Lookout Mountain, Georgia, have been fully complied with.”

By: _____
Registered C. E. No. _____

Registered Georgia Land
Surveyor No. _____

b. An Owner's Certification, directly on the Final Plat as follows:

“Owner’s Certification:

State of Georgia, County of Walker

“The owner of the land shown on this Plat and whose name is subscribed hereto, in person or through a duly authorized agent, certifies that this plat was made from an actual survey, that all state, city and county taxes or other assessments now due on this land have been paid.”

Agent _____ Owner _____

Date _____ Date _____

- c. Certificate of Dedication. A certification by the owner setting forth the description of the areas and improvements he dedicates to the public and the extent of the title which he is dedicating should be attached to the Final Plat.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I (we) adopt this plan of subdivision, establish the minimum building setback lines, and dedicate all streets, alleys, walkways, and other open spaces to public use as noted.

_____, 20__.
(Date)

Owner

Owner

- d. CERTIFICATION OF APPROVAL OF WATER SYSTEM, directly on the Final Plat as follows:

I hereby certify that the community or public water supply and distribution system installed or to be installed, and/or the plans for private water supplies in the subdivision plat attached hereto meets the requirements of the Health Department.

_____, 20__.
(Date)

Health Officer

- e. CERTIFICATION OF SEWER SYSTEM, directly on the Final Plat as follows:

I hereby certify that the community or public sewerage collection and disposal system installed or to be installed, and/or the plans for private sewage disposal system in the subdivision plat attached hereto meets the requirements of the Health Department.

Lot Number(s) _____
is (are) not approved for private sewage disposal systems.

_____, 20__.
(Date)

Health Officer

- f. CERTIFICATION OF APPROVAL OF THE PLAN FOR STREETS AND UTILITIES, directly on the Final Plat as follows:

I hereby certify that the Plan for streets, utilities, and other required improvements in this subdivision is acceptable and meets all the requirements of the Land Subdivision Regulations of the City of Lookout Mountain, Georgia.

_____, 20__.
(Date)

Signature

Title

- g. CERTIFICATE OF APPROVAL FOR RECORDING, directly on the Final Plat as follows:

I hereby certify that the subdivision plat shown hereon has been found to comply with the Land Subdivision Regulations of the City of Lookout Mountain, Georgia and that it has been approved by the City of Lookout Mountain Municipal Commission for recording in the office of the Clerk of the Court of Walker County, Georgia.

_____, 20__.

(Date)

Secretary, City of Lookout Mountain
Municipal Planning Commission

- h. A Certificate of Approval of the Final Plat by the Planning Commission, directly on the Plat, as follows:

“Pursuant to the Land Subdivision Regulations of the City of Lookout Mountain, Georgia, all the requirements of approval having been fulfilled, this Final Plat was given Final Approval by the City of Lookout Mountain Planning Commission on

_____, 20__.”
(Date)

Secretary, City of Lookout Mountain
Municipal Planning Commission

ARTICLE IX: GENERAL DESIGN REQUIREMENTS

Section 901. Name of Subdivision.

The name of the subdivision must have the approval of the Planning Commission. The name shall not duplicate nor closely approximate the name of an existing subdivision.

Section 902. Access.

Subdivisions shall be located so as to gain access over a public street.

Whenever a plat proposes the dedication of land to public use that the Planning Commission finds not desirable or suitable for such public use, the Planning Commission shall refuse to approve the plat, and shall notify the City Council of the reasons for such action.

Section 903. Large-Scale Developments.

The requirements of these Regulations may be modified in the case of a large-scale community or neighborhood unit, such as a housing project or shopping center which is not subdivided into customary lots, blocks, and streets, if the development is approved by the Planning Commission and if it is in conformity with the purpose and intent of these Regulations.

ARTICLE X: GENERAL REQUIREMENTS FOR STREETS
AND OTHER RIGHTS-OF-WAY

Section 1001. Continuation of Existing Streets.

Existing streets shall be continued at the same or greater width, but in no case less than the required width.

Section 1002. Street Names.

Street names and house numbers shall require the approval of the Planning Commission. Streets that are obviously in alignment with streets already existing and named shall be given the name of the existing street. Names of new streets shall not duplicate or closely approximate those of existing streets. Street and Name Signs must be of a type approved by the City Engineer, and signs shall be installed by the developer.

Section 1003. Street Jogs.

Street jogs with centerline offsets of less than 125 feet should be avoided.

Section 1004. Cul-de-Sac.

Except where topographic or other conditions make a greater length unavoidable, Cul-de-Sacs, or dead-end streets, shall not be greater in length than 1,000 feet. They shall be provided at the closed end with a turnaround having a property line radius of at least 50 feet with an outside pavement radius of at least 40 feet. Temporary turnarounds shall be provided for dead-end streets to be extended at a later date.

Section 1005. Development along Major Street, Limited Access Highway or Railroad Right-of-Way.

Where a subdivision abuts or contains a major street, a limited-access highway, or a railroad right-of-way, the Planning Commission may require a street approximately parallel to and on each side of such right-of-way either as a marginal access street, or at a distance suitable for an appropriate use of the intervening land, with a non-access reservation. Due regard should be given requirements for approach grades and future grade separations in determining distances. Such lots shall have no access to a Major Street (or limited-access highway), but only to the access street.

Section 1006. Reserve Strips.

Reserving strips which control access to streets and public grounds shall not be permitted.

Section 1007. Easements.

Easements having a minimum width of ten (10) feet shall be provided for utility lines, and underground mains and cables.

Section 1008. Limited Streets.

Limited streets shall not be greater in length than 1000 feet. They shall be provided at the closed end with a turnaround not less than sixty feet by sixty feet in size.

ARTICLE XI: STREET DESIGN REQUIREMENTS

Section 1101. Street Right-of-Way Widths.

The right-of-way width shall be the distance across a street from property line to property line. Minimum street right-of-way widths shall be as follows:

- (A) Major street width, 60 feet.
- (B) Collector streets, 50 feet.
- (C) Minor streets and dead-end streets, 40 feet.
- (D) Limited streets, 30 feet.

Section 1102. Street-Pavement Widths.

Street pavement shall be as follows:

- (A) Major street widths as required by the Georgia Highway Department, the County Commissioner, or the City Council.
- (B) Collector streets, 28 feet.
- (C) Minor streets, local streets and dead-end streets, 22 feet.
- (D) Limited streets, 18 feet.

Section 1103. Street Grades.

Maximum street grades shall be as follows:

- (A) Major streets, shall conform to the requirements of the Georgia State Highway Department.
- (B) All other streets not in excess of 15 percent.

Section 1104. Horizontal Curvature.

The minimum radii of centerline curvature shall be as follows:

- (A) Major streets, shall conform to the requirements of the Georgia State Highway Department.

- (B) Collector streets, 200 feet.
- (C) Minor streets and alleys, 100 feet.

Section 1105. Tangents.

Between reverse curves, there shall be tangent having a length not less than the following:

- (A) Major streets, shall conform to the requirements of the Georgia State Highway Department.
- (B) Collector streets, 100 feet.

Section 1106. Vertical Alignment.

Vertical alignment shall be such that the following requirements are met:

- (A) Major streets, shall conform to the requirements of the Georgia State Highway Department.
- (B) Collector and minor streets shall have a site distance of at least 200 feet at 6 feet above ground level.

Section 1107. Street Intersections.

No street intersection to a major street shall be at an angle of less than 60 degrees.

Section 1108. Curb-Line Radius.

The curb-line radius at street intersections shall be at least 15 feet. Where the angle of street intersection is less than 90 degrees, a longer radius may be required.

ARTICLE XII: DESIGN STANDARDS FOR BLOCKS AND LOTS

Section 1201. Block Lengths and Widths.

If blocks are used, block lengths and widths shall be as follows:

- (A) Blocks shall be not greater than 1,800 feet nor less than 600 feet in length, except in unusual circumstances.
- (B) Blocks shall be wide enough to provide two tiers of lots of minimum depth except where abutting upon major streets, limited-access highways, or railroads or where other situations make this requirement impracticable.

Section 1202. Lot Sizes.

All lots in a residential subdivision shall have a minimum public street frontage of 175 feet and a minimum depth of 200 feet, provided that the Municipal Planning Commission may approve a subdivision lot with less than 175 feet of public street frontage if the size of the lot is more than 35,000 square feet. "Frontage" and "depth" as used herein shall have the same definitions as given to those terms in Ordinance No. 25.

Residential corner lots shall have adequate width to meet building setback requirements from both abutting streets.

Section 1203. Building Lines.

A building line of not less than 30 feet from the street right-of-way shall be established on all lots.

Section 1204. Double and Reverse Frontage Lots.

Double frontage, and reverse frontage lots, should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.

Section 1205. Percolation Tests.

Before determining the lot sizes, where there is no existing sewer system, the Walker County Health Department shall be consulted so that percolation tests of the soil can be made. If percolation does not meet minimum standards, lot sizes must be increased as required by the Health Department so official approval can be given for septic tanks.

Section 1206. Visible Public Utilities.

All public utilities which are visible must be placed in the rear yard as close to rear lot lines as practicable.

ARTICLE XIII: REQUIRED IMPROVEMENTS

Section 1301. Every subdivider shall plan for and provide the following street improvements and utilities, which must be approved by the City Engineer.

(A) Street grading, extruded concrete curbs, and street base and paving, except on Major or Limited Access Streets. Street base and paving requirements by the City are as follows:

- (1) 6-inch water bound base.
- (2) Two inches of asphaltic concrete surface course.

Other material of equal quality may be accepted if prior written approval of the Planning Commission is given.

(B) Water mains within the subdivision with connections to each lot must be certified by the city's engineer. Such mains must have a minimum diameter of 6" and further must conform to any additional requirements to provide proper pressure, volume and flow of water to fire hydrants as determined by the utility furnishing the water supply.

All utilities to be installed in the streets shall be placed and compacted prior to paving.

(C) Extruded concrete curbs must conform to standard drawings submitted by the subdivider and approved by the City Engineer.

(D) Fire hydrants must be placed on the right-of-ways so that no point of any lot is more than 1,000 feet from a hydrant.

Section 1302. Drainage.

An adequate drainage system, including necessary open ditches, pipe culverts, catch-basins, and bridges shall be provided for the proper drainage of all surface water. Cross drains shall be of sufficient length to permit full roadway width and the required slopes. The drainage structure sizes are to be determined by the Manning Formula, but in no case shall a cross drain be less than 15" in diameter. The Highway Department shall be consulted before any drains are installed to insure they will conform to the formula as to proper size.

Cross drains shall be built on straight line and grade and shall be laid on a firm compacted base. In the event rock is encountered in the trench, the rock shall be removed 4" below the grade and replaced with suitable material. Pipe shall be laid with the spigot end pointing in the direction of flow and with ends fitted and matched to provide tight joints and a smooth uniform invert made by grouping tile of 24" diameter or larger half way up the pipe on the inside and half way down on the outside.

All cross drains and driveway tile shall have concrete headwalls as shown on drawings approved by the City Engineer. Wingwalls of a corresponding design shall be provided as needed.

When necessary for proper flow, inlet and outlet ditches shall be provided at drainage structures and drainage easements shall be shown on side and rear lines.

Treatment of the inlet and outlet ditches and all drainage ways in the subdivision shall conform to the following table and in all cases to be constructed on a firm base.

<u>SIZE OF NEAREST CULVERT</u>		<u>TREATMENT</u>
<u>Upstream</u>	<u>Seeded</u>	<u>Sod</u>
15"	Grades 3-10%	Grades exceeding 10%
18" , 24"	Grades 1.5% - 7.0%	Grades exceeding 7.0%
30" , 36"	Grades 1.0% - 4.0%	Grades exceeding 4.0%
42" , 60"	Grades 2.5% - or less	Grades exceeding 2.5%

Swales or ditch lines paralleling the roadway shall be graded a minimum of 1% where possible, in no case will grades of less than 0.5% be allowed. Where at all possible, main drainage ways shall be cut to the rear of lot lines and not carried down the roadway.

If a drainage pipe is under 30 inches in diameter, located in the ditch line, and more than 100 feet long, concrete or solid masonry catch basins with a 6" minimum wall thickness shall be required at intervals of 100' or at lot lines whichever is less. The design of these catch basins shall conform to drawings approved by the City Engineer.

Where there are long grades, relief pipes shall be placed. The maximum interval of relief pipes shall be 500'.

Should a bridge or large drainage structure be required to provide proper drainage it shall be designed by a licensed civil engineer and approved by the City Engineer.

Before any preliminary or final subdivision plat is approved, the subdivider must submit plans and specifications demonstrating that the proposed subdivision, when developed, will be in full compliance with all laws of the State of Georgia and all ordinances of the City of Lookout Mountain pertaining to storm water runoff, illicit discharges, and soil erosion and sedimentation. The subdivider must likewise obtain all permits required by the State of Georgia and/or the City of Lookout Mountain pertaining to storm water runoff, illicit discharges, and soil erosion and sedimentation. To help defray the added storm water management costs which the City of Lookout Mountain will incur as a result of the development of the subdivision, the subdivider will pay to the City of Lookout Mountain, prior to the approval of each preliminary plat, a storm water impact fee in such amount(s) as may from time to time be established by the Council of the City of Lookout Mountain.

Section 1302.

Before any preliminary or final subdivision plat is approved, the subdivider must submit plans and specifications for the construction of the subdivision's sanitary sewer collection system and for the connection of that system to the City of Lookout Mountain's existing sanitary sewer collection system in a manner that will be in full compliance with all laws of the State of Georgia and all ordinances of the City of Lookout Mountain (including but not limited to Ordinance No. 187). Such plans and specifications shall be accompanied by a sewer engineering study prepared by a professional engineer licensed in the State of Georgia, experienced in sewer engineering and design, and approved by the City of Lookout Mountain. The cost of the engineering study shall be paid by the subdivider.

ARTICLE XIV: SURETY FOR COMPLETION

Section 1401. Conditions.

Bonds or other surety posted for the completion of improvements shown on the Final Plat shall run to the City of Lookout Mountain, Georgia, and provide that the subdivider, his heirs or successors and assigns, and their agents and servants, will comply with all applicable terms, conditions, provisions, and requirements; will faithfully perform and complete the work of constructing and installing said facilities or improvements in accordance with these Regulations

and any other applicable requirements; and that the subdivider shall be responsible to the City of Lookout Mountain, Georgia, for any unnecessary expense incurred through the failure of the subdivider, his heirs, successors and assigns, or their agents or servants, to complete the work of said construction in an acceptable manner, and from any damages growing out of negligence in performing or failing to perform said construction and installation. Before acceptance, any surety shall be approved by the City of Lookout Mountain, Georgia. If a bond is offered, it shall be executed by a surety or guaranty company qualified to transact business in the State of Georgia.

ARTICLE XV: GENERAL PROVISIONS

Section 1501. Severability. If any of the sections, subsections, sentences, clauses or phrases of this Ordinance are for any reason held to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not be affected, since it is the express intent of the Council of the City to pass each section, phrase, paragraph and word separately.

Section 1502. Part of Code of Ordinances. It is the intention of the Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lookout Mountain, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 1503. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 1504. Effective Date. This Ordinance shall be effective ten (10) days after its adoption by at least three (3) members of the Council of the City after two (2) readings at least one (1) week apart.

APPROVED on first reading on December 17, 2015.



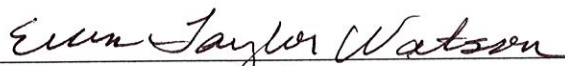
Member of City Council



Member of City Council



Member of City Council



Member of City Council

Member of City Council

Alphonse W. Bottom
Mayor of Lookout Mountain, Georgia

APPROVED AND ADOPTED on second reading on January 21, 2016.

[Signature]
Member of City Council

[Signature]
Member of City Council

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Member of City Council

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Member of City Council

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Member of City Council

[Signature]
Mayor of Lookout Mountain, Georgia

ATTEST:

[Signature]
City Clerk