

Article 12. Procedures and Permits

Effective January 1, 2009, as Amended through March 17, 2015

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Article 12. Procedures and Permits

Effective January 1, 2009, as Amended through March 17, 2015

This Article describes the process through which a rezoning or special use may be approved on a property, the approval process for construction of subdivisions and other land development projects, and the approval process for other permits required by this Development Code.

Sec. 1201. Definitions related to procedures and permits.

For the purposes of this Article, the following words, terms and phrases shall have meanings ascribed to them by this section, unless the context clearly indicates otherwise:

Applicant: A property owner or their authorized representative who has petitioned the County for approval of a zoning change, development permit, building permit, hardship variance, special exception or appeal, or any other authorization for the use or development of their property under the requirements of this Development Code, or a property owner or their authorized representative submitting any other application, document or plan required by this Development Code.

Application: A petition for approval of a zoning change, development permit, building permit, hardship variance, special exception or appeal, or any other authorization for the use or development of a property under the requirements of this Development Code.

As-Built Drawings: Drawings specifying the dimensions, location, capacities and operational capabilities of structures and facilities as they have been constructed.

Building Code: The technical codes approved for enforcement or otherwise adopted or adopted as amended by the County under the Georgia Uniform Codes Act, which regulate the construction of buildings and structures.

Community Improvement or System: A domestic water supply and distribution system (including fire hydrants) serving two or more individual properties, or a sewage collection and treatment system serving two or more individual properties, which are intended to remain under private ownership and operation. A community improvement or system does not include the water supply line to a building or the sewage drain line from a building. In contrast, see the definition of a "Public Improvement."

Condition of Zoning Approval: A requirement adopted by the Board of Commissioners at the time of approval of a rezoning or Special Use, placing greater or additional requirements or restrictions on the property than provided in this Development Code in order to reduce an adverse impact of the rezoning or Special Use and to further the protection of the public health, safety, or general welfare.

Design Professional: The duly licensed and qualified professional whose seal appears on documents, plats or plans subject to these regulations.

Owner: Any individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in land or other real estate to commence and maintain proceedings for approval of a zoning change, permit or other approval under this Development Code. The term "owner" includes the legal or beneficial owner of a site, including, but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of a site.

Person: Any legal entity, such as an individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of the State, any interstate body or other legal entity.

Public Improvement: The construction, enlargement, extension or other construction of a facility intended for dedication to the public, including but not limited to a street, curb and gutter, sidewalk, cross drain, catch basin, traffic control and street name sign, or other roadway appurtenance other than a driveway apron connection; do-

mestic water supply system main, fire hydrant, valve or other appurtenance other than a supply line to a building; or sanitary sewerage main or outfall, lift station, force main, manhole or other appurtenance other than a drain line from a building. In contrast, see the definition of a “Community Improvement or System.”

Soil Classifier: A person who holds at least a Bachelor of Science degree from an accredited college or university with a major in Agronomy, Soil Science, or related field, as approved by the Georgia Soil Classifiers Certification Advisory Committee, and has been so certified by the Georgia Department of Human Resources (DHR) in accordance with guidelines published in the DHR’s *Manual for On-Site Sewage Management Systems*, latest edition.

Zoning Change: An amendment to the Zoning Map (rezoning), approval of a Special Use, or approval of a change in the conditions of approval associated with a rezoning or Special Use.

Sec. 1202. Overview—land development.

The following presents a summary of the plans and procedures involved in the land development approval and construction regulation process. In all cases, consult the specific requirements and procedures detailed under the various Divisions of this Article.

(a) Zoning changes (rezoning or Special Use approval).

- (1) If a proposed use is not compatible with the existing zoning on a property, a request for rezoning or application for a Special Use, as applicable, must be approved prior to development, construction or occupancy.
- (2) If the property owner desires to rezone their property to a zoning district that is not consistent with the Future Land Use Map category (see Sec. 1206 and Table 12.2), a Future Land Use Map amendment must be approved before or concurrently with the rezoning application. An application for rezoning and an application to amend the Future Land Use Map may proceed simultaneously and be acted upon at the same meeting by a single public hearing and motion of the Board of Commissioners. *[Amended March 2, 2010 & Amended February 17, 2015]*
- (3) A zoning change for a subdivision, multi-family or nonresidential project must include a subdivision sketch plan, preliminary site development plan or PD concept plan, as applicable, showing the proposed layout of the project.

(b) Major subdivisions.

Permitting and construction of a major subdivision will be conducted as follows:

- (1) Project Approval is granted by the Planning Director upon review and approval of a Preliminary Subdivision Plat.
- (2) A Development Permit is issued by the Planning Director based on review and approval by the Public Works Department and all other affected departments and agencies of development plans for construction of the subdivision.
- (3) Receipt and approval by the Public Works Director (for streets and drainage) and the Public Works Director and Fire Marshal (for water and sewer) of accurate descriptions of the as-built condition of public and community improvements is required in order to allow filing of a Final Plat.
- (4) Approval of a Final Subdivision Plat by the Planning Director will authorize recordation of the plat with the Clerk of the Superior Court.
- (5) Deeds and easement agreements, as applicable, for all public rights-of-way and other lands or facilities to be dedicated to Camden County are forwarded to the Board of Commissioners for acceptance.
- (6) After recordation of the Final Plat, the lots may be sold, and building permits and driveway permits on the lots may be obtained.

- (7) At the end of the maintenance period, all public and community improvements will be inspected by the County. After the developer has made any required repairs, the maintenance bond will be released by the County and the public improvements will be accepted into perpetual maintenance.

(c) **Minor subdivisions.**

Approval of a minor subdivision shall be conducted as follows:

- (1) Approval of a Final Subdivision Plat by the Planning Director will authorize recordation of the plat with the Clerk of the Superior Court.
- (2) Deeds and easement agreements, as applicable, for all public rights-of-way and other lands or facilities to be dedicated to Camden County are forwarded to the Board of Commissioners for acceptance.
- (3) After recordation of the Final Plat, the lots may be sold, and building permits and driveway permits on the lots may be obtained.

(d) **Multi-family and nonresidential projects.**

- (1) Project Approval is granted by the Planning Director upon review and approval of a Site Development Plan for the project.
- (2) A Development Permit is issued by the Planning Director based on review and approval by the Public Works Department and all other affected departments and agencies of development plans for construction of the project.
- (3) A Building Permit is issued by the Building Official based on review and approval of architectural plans. Buildings falling under the authority of the State Fire Marshal shall be approved by the Fire Marshal prior to issuance of the building permit.
- (4) Driveway and sign permits are issued by the appropriate departments.
- (5) Receipt and approval by the Public Works Director (for streets and drainage) and the Public Works Director and Fire Marshal (for water and sewer) of accurate descriptions of the as-built condition of public and community improvements is required in order to authorize issuance of a Certificate of Occupancy.
- (6) Permanent electric power and occupancy of the building is authorized by the Building Official based on final inspection and issuance of a Certificate of Occupancy.

Sec. 1203. Application intake and processing.

(a) Application submission process.

An application for any permit or approval under this Article or for a hardship variance or special exception variance under the Appeals Article of this Code will first be considered as follows:

- (1) If the application is for a project that qualifies as a Development of Regional Impact (DRI), and is the first request for County action or is a revision to a previous DRI, refer to Sec. 1255 of this Article for details and procedures.
- (2) If the application is for approval of a minor subdivision plat, refer to Sec. 1236(b).
- (3) If the application is for any other type of approval or permit, refer to the appropriate sections of this Article or the Appeals Article for procedures pertinent to the request.

(b) Responsible parties for application processing.

The following table summarizes the Camden County departments, directors and others responsible for receiving, administering, reviewing, approving and permitting various applications under this Development Code. This table is **illustrative only**; specifics contained in the text of this Code should be relied upon for details.

Application Intake Process

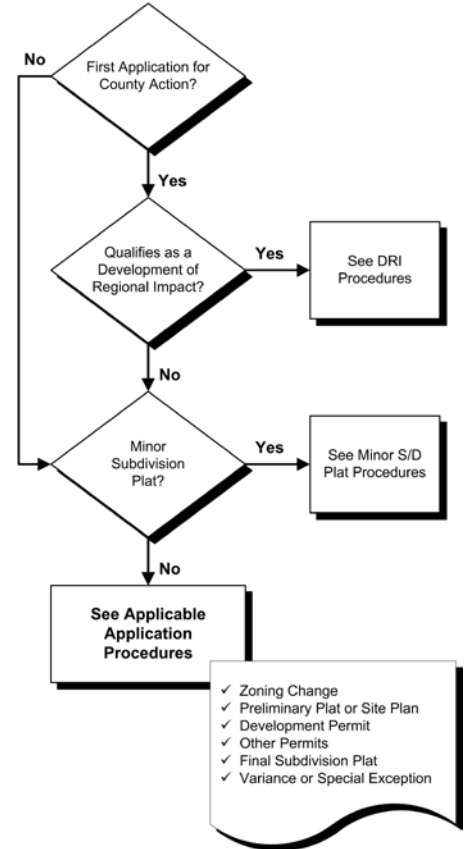


Table 12.1: Responsible Parties for Reviews and Approvals

| Action | Application | | Application Reviewed by | | | | Approval Granted by | |
|---|----------------|-----------------|-------------------------|--------------|--------------|------------------------------------|---------------------------------------|----------------------------------|
| | Submitted to | Administered by | Planning | Public Works | Fire Marshal | Others (as appropriate) | Approved by | Permit Issued by |
| Zoning Change: ■ Rezoning ■ Special Use | Planning Dept. | Planning Dept. | ✓ | ✓ | ✓ | Planning Commission DRIs to RDC | Board of Commissioners | n/a |
| Project Approval: ■ Preliminary S/D Plat ■ Site Development Plan | Planning Dept. | Planning Dept. | ✓ | ✓ | ✓ | GDOT Environmental Health | Planning Director | Signed by Planning Director |
| Development Permit: ■ Development plans—grading, erosion and sediment control | Planning Dept. | Planning Dept. | | ✓ | | Soil & Water Conservation | Planning Director | Planning Director |
| ■ Development plans—streets and drainage | Planning Dept. | Planning Dept. | ✓ | ✓ | ✓ | GDOT, DNR, Corps of Eng, EPD | Public Works Director | |
| ■ Development plans—landscaping, buffers, tree conservation | Planning Dept. | Planning Dept. | ✓ | | | | Planning Director | |
| ■ Development plans—public or community water or sewer | Planning Dept. | Planning Dept. | | ✓ | ✓ | Environmental Health | Public Works Director Fire Marshal | |
| Minor Subdivision - Final Subdivision Plat | Planning Dept. | Planning Dept. | ✓ | ✓ | | Environmental Health | Planning Director | Final Plats are signed by PI Dir |

Table 12.1: Responsible Parties for Reviews and Approvals

| Action | Application | | Application Reviewed by | | | | Approval Granted by | |
|--|-------------------|--------------------|-------------------------|--------------|--------------|------------------------------|------------------------------|-----------------------------|
| | Submitted to | Administered by | Planning | Public Works | Fire Marshal | Others (as appropriate) | Approved by | Permit Issued by |
| Major Subdivision -- Final Subdivision Plat Including the following: | Planning Dept. | Planning Dept. | ✓ | ✓ | ✓ | GDOT Environmental Health | Planning Director | Signed by Planning Director |
| ■ Dedication Deeds & Easements | Planning Dept. | Planning Dept. | ✓ | | | County Attorney | Board of Commissioners | |
| ■ As-Built Data—Streets & Drainage | Planning Dept. | Public Works Dept. | | ✓ | | | Public Works | |
| ■ As-Built Data—Water & Sewer | Planning Dept. | Public Works Dept. | | ✓ | ✓ | | Public Works Fire Marshal | |
| ■ Performance/Maintenance Surety—Streets & Drainage | Planning Dept. | Public Works Dept. | | ✓ | | County Attorney | Public Works | |
| ■ Performance/Maintenance Surety—Water & Sewer | Planning Dept. | Public Works Dept. | | ✓ | ✓ | County Attorney | Public Works | |
| Temporary Use Permit | Planning Dept. | Planning Dept. | ✓ | | | | Planning Dept. | Planning Dept. |
| Building Permitting: | | | | | | | | |
| ■ Zoning Verification | Planning Dept. | Planning Dept. | ✓ | | | | Planning Dept. | n/a |
| ■ Building Permit | Building Official | Building Official | | | ✓ | Building Official | Building Official | Building Official |
| ■ Moving a Building | Building Official | Building Official | | | ✓ | Building Official Sheriff | Building Official Sheriff | Building Official |
| ■ Manufactured Home Location Permit | Building Official | Building Official | | | | Building Official | Building Official | Building Official |
| Variances: | | | | | | | | |
| ■ Special Exception—Administrative | Planning Dept. | Planning Dept. | ✓ | ✓ | | Public Works Fire Marshal | Planning Director | |

Table 12.1: Responsible Parties for Reviews and Approvals

| Action | Application | | Application Reviewed by | | | | Approval Granted by | |
|--|------------------------|--------------------|-------------------------|--------------|--------------|-------------------------|--|-----------------------|
| | Submitted to | Administered by | Planning | Public Works | Fire Marshal | Others (as appropriate) | Approved by | Permit Issued by |
| ■ Special Exception | Planning Dept. | Planning Dept. | ✓ | ✓ | | | Planning Commission | [Amended 11-18-2014] |
| ■ Hardship Variance | Planning Dept. | Planning Dept. | ✓ | ✓ | ✓ | | Planning Commission | [Amended 11-18-2014] |
| ■ Flood Damage Prevention Variance | Planning Dept. | Planning Dept. | | ✓ | | | Planning Commission | [Amended 11-18-2014] |
| ■ Appeal from an Administrative Decision | Planning Dept. | Planning Dept. | ✓ | ✓ | ✓ | | Board of Commissioners | |
| ■ Adult Entertainment Estab. Appeal | Board of Commissioners | County Manager | | | | County Attorney | Board of Commissioners | |
| Other Permits: | | | | | | | | |
| ■ Telecommunications | Planning Dept. | Planning Dept. | ✓ | | | | Board of Commissioners | Building Official |
| ■ Driveway | Public Works | Public Works Dept. | | ✓ | | GDOT | Public Works Director | Public Works Director |
| ■ Right-of-way Encroachment | Public Works | Public Works Dept. | | ✓ | | GDOT | Public Works Director | Public Works Director |
| ■ Sign | Building Official | Building Official | ✓ | | | Building Official | Building Official | Building Official |
| ■ Adult Entertainment Establishment | Board of Commissioners | County Manager | ✓ | | | Sheriff County Attorney | Board of Commissioners | |
| ■ Public Gatherings | County Manager | County Manager | | | | Environmental Health | County Manager or (if denied)... Board of Commissioners | |

DIVISION 1. APPROVAL OF ZONING CHANGES.

Sec. 1204. Authority to approve a zoning change.

- (1) The county commission may approve a **special use** on a property, or approve the **rezoning** of a property **and amend the official zoning map**; may grant conditional approval of such a zoning change request; may deny such a request; or, may approve a more restrictive zoning district on the property than requested by the applicant.
- (2) No amendment shall become effective until it is first submitted to and reviewed by the planning commission.

Sec. 1205. Initiation of zoning changes.

- (1) A zoning change may be initiated by the county commission by introduction of a resolution on its own motion at the request of the owner of the property subject to county commission approval due to extraordinary circumstances.
- (2) A zoning change may be initiated by the owner of the property proposed for the zoning change by filing an application with the Planning Director.

Sec. 1206. Future land use map consistency required.

[Amended March 2, 2010]

In order to be approved, a rezoning must be consistent with the Future Land Use Map of Camden County, Georgia, as most recently amended. (See Table 12.2 for a listing of zoning districts that are consistent with each future land use map category.) If a proposed rezoning is not consistent with the future land use map category for the property, the application for the rezoning shall also include a future land use map amendment to be considered concurrently with the rezoning request. If the future land use map amendment is denied, the application for rezoning shall be withdrawn or denied. *[Amended February 17, 2015]*

(a) Zoning districts; relationship to future land use map.

The Future Land Use Map of Camden County, Georgia, as most recently amended, establishes appropriate land use categories for future growth and development throughout the unincorporated area of the county. The zoning districts considered consistent with each future land use map category, and comments to achieve such consistency where appropriate, are listed in Table 12.2.

Zoning Change Approval Process
Application Submitted by Property Owner

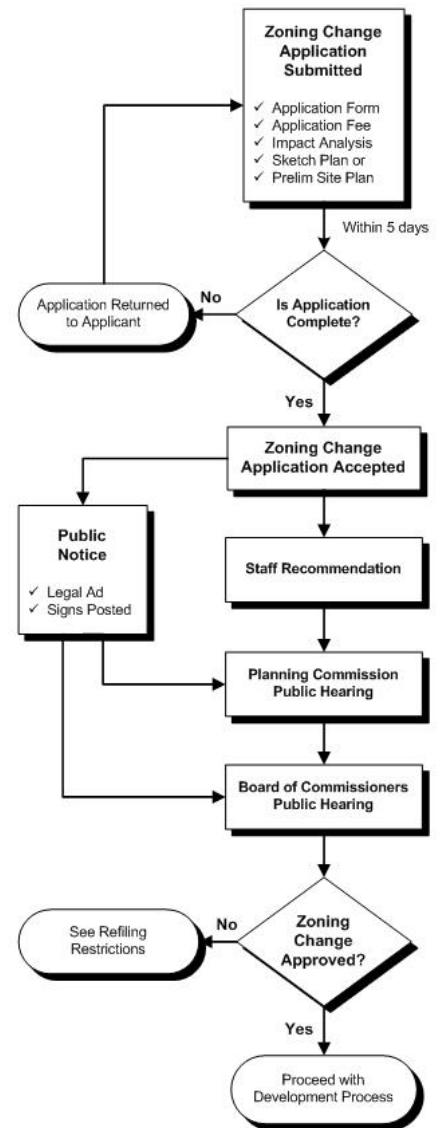


Table 12.2: Future Land Use Categories and Zoning

| Future Land Use Map Category | Consistent Zoning Districts | Comments |
|-------------------------------------|------------------------------------|---|
| Rural | A-F | Areas where vacant lands and agricultural uses are anticipated to predominate, interspersed with large-lot (3-acre+) residential development on wells & septic tanks. |
| Rural Residential | A-R | Areas where agricultural uses and limited residential development on minimum 2-acre lots with public or community sewer is anticipated. |
| Residential | R-1 | Areas where site-built and industrialized single-family detached housing is preferred, generally on public or community water and sewer. |
| Multi-Family | R-2 | Areas in proximity to residential neighborhoods where compatibility is of concern. |
| | R-3 | Areas in proximity to areas of commercial development where higher residential densities would be appropriate. |
| | MHP | In proximity to areas of commercial development where higher residential densities would be appropriate. |
| Mixed Use | PD | Areas specifically approved for new or existing master planned and controlled development. |
| Commercial | C-G | Commercial areas where restrictions and compatibility issues are at a minimum. |
| | C-I | Commercial areas in proximity to an interchange with Interstate Highway 95. |
| | C-N | Commercial areas in proximity to residential neighborhoods where compatibility is of concern. |
| | RVP | Within areas of commercial development where an RV park would serve the travelling public. |
| | MHP | Within areas of commercial development where higher residential densities would be appropriate. |
| Industrial | I-R | In proximity to areas where compatibility with nearby residential or commercial uses is of concern. |
| | I-G | In areas where restrictions and compatibility issues are at a minimum. |
| Public/Institutional | Any | Public (governmental) and semi-public (non-profit institutional) uses are allowed on any property where allowed under the property's zoning classification. |
| Little Cumberland Island | LCI | Limited to Little Cumberland Island. |
| Parks, Recreation and Conservation | C-P | Areas designated as public parks, the Cumberland Island National Seashore, marshes and other protected environmental areas. |
| Quality Design Overlay | Any | The North Camden QDO district, and others as may be designated. |

(b) **Restrictions on the rezoning of land.**

- (1) No land shall be rezoned to a particular zoning district unless the property is located within a future land use map category with which the proposed rezoning is considered consistent, as designated on Table 12.2.
- (2) For the purposes of this restriction, "within" shall mean that more than 50% of the land area contained in the property proposed for rezoning shall be located within the boundary of a future land use map category with which the zoning district is considered consistent.

Sec. 1207. Application for a zoning change.

- (1) The proper form on which to file an application for any zoning change shall be obtained from the Planning Director. The completed application shall be filed with the Planning Director early enough to allow adequate public notice as required under Sec. 1210 (but at least 18 days prior to the planning commission meeting at which the request will be heard). Any recommendation purporting to be an application for amendment shall be regarded as mere notice of intention to seek an amendment until such time as it is made in the form required and is complete in all respects.
- (2) The Planning Department will review the application for completeness within 5 days of submission. Incomplete applications will be returned to the applicant.
- (3) An application for a zoning change shall contain all of the following information in order to be considered complete.
 - a. Letter of intent stating the reasons for the rezoning or special use request, a description of the proposal, and addressing each of the standards for zoning consideration under Sec. 1213(a) or Sec. 1213(b), as applicable.
 - b. Payment of fees as set forth in the schedule of fees adopted by the county commission under Article 14 of this Development Code.
 - c. Copy of the Deed (with legal description) as proof of ownership. If the owner is a corporation or partnership then provide a list of all officers with name, address and telephone number. (If not the owner of the property, also provide a notarized affidavit authorizing the applicant to act on behalf of the owner on the request.)
 - d. A survey or plot plan showing the existing structures and uses, access drives, parking and loading areas, easements, and utilities.
 - e. A subdivision sketch plan, preliminary site development plan or PD concept plan, as required under Sec. 1207(4)08, Sec. 1209 or Sec. 1210, respectively, showing the layout of the property in conjunction with other property and showing the names of existing streets, roads and highways.
 - f. Acreage of the property (or square footage if the property is less than 1 acre).
 - g. Legal description of the property to be rezoned.
 - h. A list of all adjacent property owners, to include those across any rights-of-way, with their names and addresses. This list must be notarized as being the current list of adjacent owners obtained from the tax assessor's office.
 - i. [Relocated to Sec. 1211(b)(3)b.2 per adoption of Division 2, March 2, 2010]
 - j. Optional: Any additional information the applicant feels is pertinent.
- (4) Political contribution disclosure.

- a. When any applicant for a zoning change, the applicant's attorney and any other person representing or acting on behalf of the applicant has, within two years immediately preceding the filing of that applicant's application for the zoning change, made campaign contributions or made gifts aggregating \$250.00 or more to any member of the Camden County Board of Commissioners or any member of the Planning Commission, it shall be the duty of the applicant, the attorney representing the applicant and any other person representing or acting on behalf of the applicant to file a disclosure report with the Board of Commissioners as set out in O.C.G.A. 36-67A-3.
- b. Under the requirements of O.C.G.A. 36-67A-3, it is the responsibility of the applicant, the applicant's attorney and any other person representing or acting on behalf of the applicant to file their disclosure report with the Board of Commissioners within ten days after the application for the zoning change is first filed.

Sec. 1208. Subdivision sketch plan.

A subdivision sketch plan meeting the following requirements shall be submitted for any zoning change other than a PD rezoning (see Sec. 1210 below) that will result in a residential subdivision, office park or industrial park or other nonresidential subdivision, or condominium project in which each unit will occupy a separate lot.

(a) **Plan requirements.**

- (1) Plot plan or survey plat showing the dimensions of the property to be developed.
- (2) Location of existing structures, rights-of-way, marshlands, watercourses and lakes, primary conservation areas, and existing structures to remain.
- (3) Layout of the proposed development including streets and lots.
- (4) Location of proposed recreational areas and dimensions of buffer zones, if any.
- (5) Location and size of existing or proposed public or community water, sewer and drainage facilities.

(b) **Exception for shopping centers.**

A shopping center or other project planned as a single development of two or more buildings which will result in the creation of individual "out" lots or "spin sites" is to be submitted as a preliminary site development plan for the entire project meeting the requirements of Sec. 1209.

(c) **Level of plan detail.**

A subdivision sketch plan must be prepared by a qualified design professional, as defined in this Code (see Article 15), on a plot plan or survey plat of the property, but need not meet engineering specifications for accuracy. All plan requirements above shall be clearly and approximately drawn to scale or detailed for review, but need not be adequate for project approval of a preliminary subdivision plat as specified under Sec. 1231.

Sec. 1209. Preliminary site development plan.

(a) **Plan requirements.**

An application for a zoning change other than a PD rezoning (see Sec. 1210 below) that will result in a multi-family, mobile home park, RV park, office, commercial, industrial, institutional or other project occupying a single unsubdivided property shall be accompanied by a preliminary site development plan containing the following elements:

- (1) Plot plan or survey plat showing the dimensions of the property to be developed.
- (2) Location of existing structures, rights-of-way, marshlands, boundaries, watercourses and lakes, primary conservation areas, and existing structures to remain.
- (3) Location of proposed development including structures, types of uses, access drives, setbacks, easements, etc.

- (4) Location of proposed recreational areas and dimensions of buffer zones, if any.
- (5) Location and size of existing or proposed public or community water, sewer and drainage facilities.
- (6) In the case of multi-family developments, mobile home or RV parks, indicate proposed number of dwelling units or pads and net acres available for building.
- (7) In the case of office, commercial, industrial or institutional developments, show proposed off-street parking and loading areas, signage and outdoor lighting.

(b) **Exemption from plan requirements.**

A preliminary site development plan is not required for an application for special use approval if no changes are proposed (or required by this Development Code) to the existing structures or site improvements on the property.

(c) **Level of plan detail.**

A preliminary site development plan must be prepared by a qualified design professional, as defined in this Code (see Article 15), on a plot plan or survey plat of the property, but need not meet engineering specifications for accuracy. All plan requirements above shall be clearly and approximately drawn to scale or detailed for review, but need not be adequate for project approval for a site development plan as specified under Sec. 1231.

Sec. 1210. Concept plan for a PD planned development

Development of a PD planned development project shall be guided by a concept plan map and accompanying written report that delineates and describes the land uses and development standards of the planned development as a whole and for each of its constituent parts. (Refer also to the provisions regarding Planned Developments in the Subdivisions and Planned Developments Article of this Development Code.)

(a) **Concept plan map.**

- (1) The concept plan map is to include the following:
 - a. A location map of the property in relation to the surrounding area with regard to such nearby features as major streets and highways, rivers, shoreline, public schools or other well known landmarks.
 - b. The location, name and right-of-way width of any existing streets within or adjacent to the proposed development.
 - c. The general location of the proposed major street circulation system to be located within the planned development.
 - d. The general boundaries of primary conservation areas (as defined in the Environmental Protection Article of this Development Code).
 - e. The general location of proposed open space and undeveloped areas, recreational areas and other public amenities to the extent known.
 - f. The general location of proposed water supply sources and sewage disposal plants/facilities located within the planned development.
- (2) Individual areas of a planned development that differ by land use or development standards are to be delineated on the concept plan map and keyed to a description for each area contained in the written report, below.
- (3) As development of each portion of a planned development proceeds, the concept plan map shall be updated to show each final subdivision plat as it is approved for recording, and each site plan for a multi-family or nonresidential project upon its approval for a development permit. No Certificates of Occupancy will be issued within those areas until the Planning Department has received the updated concept plan map.

(b) Written concept plan report.

A written report for a planned development shall explain the type, nature, intent and characteristics of the proposed development, and shall include, where applicable:

- (1) A general description of the planned development, including:
 - a. A general overview description of the planned development.
 - b. Proposed means for the provision of public water supply, sewage disposal and storm drainage facilities.
 - c. A legal description of the property included in the planned development, its gross acreage and its net developable acreage (gross acreage excluding all areas defined as primary conservation areas under the Environmental Protection Article of this Development Code).
 - d. Restrictive covenants (optional—for informational purposes only).
- (2) Proposed dedication or reservation of land for public use, including streets, easements, parks and school sites.
- (3) Exceptions or variations from the sign, parking or street design requirements of this Development Code, if any are being requested for the planned development in general.
- (4) Individual areas of a planned development are to be described as to their use and development standards, and keyed to the concept plan map. Each area description must include the following subject matter, as relevant to the proposed character of development. In mixed-use areas, standards may be related to different types of uses; form-based approaches and smart growth concepts are encouraged.
 - a. Allowed principal and accessory uses.
 - b. Gross acreage of the individual area and the net developable acreage.
 - c. Intensity of development, such as:
 1. Density controls (units/acre) or minimum lot size, minimum lot area per dwelling unit and minimum lot width (for residential uses).
 2. Floor area per acre or total floor area and total dwelling units (for mixed-use and nonresidential uses).
 - d. Principal building setbacks or build-to lines along all streets and property lines.
 - e. Maximum building heights.
 - f. Buffer and open space standards.
 - g. Exceptions or variations from the sign, parking or street design requirements of this Development Code, if any are being requested for the individual area and not included under Sec. 1210(b)(3) above.
 - h. An indication whether the internal streets will be public or private.

Sec. 1211. Public notice.**(a) Zoning changes initiated by Camden County.**

Any Camden County action resulting in a zoning change shall provide for a hearing on the proposed action. At least 15, but not more than 45, days prior to the date of the hearing Camden County shall cause to be published within a newspaper of general circulation within the territorial boundaries of Camden County a notice of the hearing. The notice shall state the time, place, and purpose of the hearing.

(b) Zoning changes initiated by property owner.

If the zoning change application is initiated by a party other than Camden County:

- (1) The notice, in addition to the requirements of Sec. 1211(a) above, shall include the name of the applicant, the location of the property, acreage of the property, the present zoning classification of the property, and the proposed zoning classification or type of Special Use (as applicable).
 - (2) Multiple applications on a single property may be combined in a single notice, but must be heard individually at the public hearing.
 - (3) Posting of signs.
 - a. In addition to the newspaper notice, a sign or signs shall be placed by the applicant in a conspicuous location on the property frontage in such manner as to be legible from the public road. On lots with more than one road frontage, a sign will be placed facing each public road. If the property has no road frontage, the sign shall be placed on each road at a location where access will be gained to the property.
 - b. Time frame for posting signs.
 1. The sign(s) must be in place no less than 15 days prior to the date of the public hearing and shall state the date, time and place for the planning commission public hearing and the initially scheduled county commission meeting, the present zoning classification and the nature of the proposed zoning change (requested zoning classification or type of Special Use).
 2. A notarized affidavit stating that the required public notice signs have been placed on the property properly and within the time frame prescribed under Sec. 1211(b)(3)b.1 shall be submitted to the Planning Director no less than 15 days prior to the first public hearing.
 - c. The applicant shall remove all public notice signs from the subject property within 3 business days after the date of final action by the county commissioners on the proposed zoning change.
- (c) **Sufficiency of public notice.**
- (1) Where proper notice is given in accordance with this Section, and a sign has been posted in accordance with this Section by the applicant, no further notice to interested parties or adjacent or nearby property owners is required.
 - (2) Failure to provide notice as required by this Section may be grounds for the final action on a proposed zoning change to be declared null and void. It is the responsibility of the applicant for the zoning change to determine prior to the public hearing that proper notice requirements have been met.
 - (3) Appearance of a person at the public hearing shall constitute a waiver of all claims based upon improper publication of notice or posting on the property by such person.

Sec. 1212. Withdrawal.

Any applicant wishing to withdraw an application prior to final action by the Board of Commissioners shall file a written request for withdrawal with the Planning Director.

- (1) The withdrawal request must be in writing and signed by the owner, the applicant or the owner's authorized agent.
- (2) If the request for withdrawal is received prior to the publication of notice for the public hearing as required under Sec. 1210, the application shall be withdrawn administratively by the Planning Director.
- (3) If a request for withdrawal of an application is received after notice has been published (or irretrievably set for publication) for the scheduled Planning Commission public hearing, the application may be withdrawn with the consent of the Planning Commission and removed from further consideration.
- (4) Should any request for withdrawal be made after the public hearing by the Planning Commission, the application shall remain on the Board of Commissioners' agenda and the withdrawal request shall be considered for approval or denial by the Board of Commissioners.

Sec. 1213. Standards governing consideration of a zoning change.**(a) Standards for consideration of a proposed rezoning (map amendment).**

In consideration of a rezoning, the planning commission and the county commission shall consider factors relevant in balancing the interest in promoting the public health, safety, or general welfare against the right of the individual to the unrestricted use of property and shall specifically consider the following objective criteria. Emphasis may be placed on those standards most applicable to the specific use proposed:

- (1) Is this request a logical extension of a zoning boundary that would improve the pattern of uses in the general area?
- (2) Is this request an illogical extension of a zone boundary that would intrude a damaging volume of commercial, industrial or high-density use to a stable neighborhood? Would the change be likely to lead to neighborhood deterioration, the spread of blight, and a request for additional zoning of a similar nature which would expand the problem?
- (3) Is this zoning change generally unrelated to either existing zoning or the pattern of development of the area?
- (4) Would granting this request extend to the applicant development rights denied to others similarly situated in the same area?
- (5) Could traffic created by the proposed use or other uses permissible under the zoning sought traverse established neighborhoods, lead to congestion, noise and traffic hazards?
- (6) Is the proposed zoning in conformity with the community capital improvements staging, or could permitted uses overload existing public facilities, water, sewer, police and fire protection?
- (7) Could the uses allowed in this request disrupt existing neighborhood character?
- (8) Does this request conform or alter general expectations for population growth and distribution?
- (9) Will this request eliminate options for the acquisition by governments of future public facility sites, roads, open spaces, etc.?
- (10) Will this request require a major change in existing:
 - a. Levels of public service?
 - b. Municipal services?
 - c. Fiscal stability?
- (11) Will this request place irreversible limitations on the area as it is or on future plans for it?
- (12) Does this request have the potential of achieving short term, to the disadvantage of long term, development goals?
- (13) Could this request have "domino effect" in that it becomes the opening wedge for further rapid growth, urbanization or other land use change beyond what is indicated in the proposal or existing plan?
- (14) Could the change in classification adversely affect market values and/or tax rates of nearby properties?
- (15) Is the proposed rezoning compatible with the goals, objectives, purpose and intent of the Comprehensive Plan?

(b) Standards for consideration of a proposed special use.

A Special Use otherwise permitted within a zoning district shall be considered to be compatible with other uses permitted in the district, provided that due consideration is given to the following objective criteria. Emphasis may be placed on those criteria most applicable to the specific use proposed:

- (1) Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located?

- (2) Is the proposed special use compatible with the goals, objectives, purpose and intent of the Comprehensive Plan?
- (3) Will the establishment of the special use impede the normal and orderly development of surrounding property for uses predominate in the area?
- (4) Is the location and character of the proposed special use consistent with a desirable pattern of development for the locality in general?
- (5) Is or will the type of street providing access to the use be adequate to serve the proposed special use?
- (6) Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?
- (7) Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the special use?
- (8) Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare or odor?
- (9) Will the hours and manner of operation of the special use have no adverse effects on other properties in the area?
- (10) Will the height, size or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?

Sec. 1214. Conditional approval of zoning changes.

In approving the rezoning of a property or approving a special use, the Board of Commissioners may impose conditions of approval that it deems necessary in order to make the requested action acceptable and consistent with the purposes of this Development Code and of the zoning district(s) involved, to ameliorate negative issues identified through evaluation of the standards governing consideration of a rezoning under Sec. 1213(a) or the standards governing consideration of a special use under Sec. 1213(a)(15), as applicable, or to further the goals and objectives of any County adopted plans.

(a) **Types of conditions.**

- (1) Such conditions of approval may consist of any or all of the following:
 - a. A requirement that developers must build according to the sketch plan or preliminary site plan as adopted or modified by the conditions of approval;
 - b. Reservation of required rights-of-way to the County where insufficient amounts or none exist;
 - c. Setback requirements from any lot line;
 - d. Specified or prohibited locations for buildings, parking, loading, or storage areas or other land uses;
 - e. Driveway curb cut restrictions;
 - f. Restrictions as to what land uses or activities shall be allowed;
 - g. Maximum building heights or other dimensions;
 - h. Special drainage or erosion provisions;
 - i. Landscaping or planted area which may include the location, type and maintenance of plant materials;
 - j. Fences, walls, berms, or other landscaping or buffering provisions or protective measures;
 - k. Preservation of existing trees or planting of new trees or other vegetation;
 - l. Special measures to alleviate undesirable views, light, glare, noise, dust or odor;
 - m. Permitted hours of operation;

- n. Architectural style or materials;
 - o. A limitation on exterior modifications of existing buildings;
 - p. A time limit (for a special use) after which the use shall terminate or a new special use approval is required; or
 - q. Any other requirement that the Board of Commissioners may deem appropriate and necessary as a condition of rezoning or approval of a special use.
- (2) Such conditions of approval:
- a. Shall only be valid if they are included in the motion approving the rezoning or special use;
 - b. Shall be in effect as long as the zoning is in effect, or for the period of time as may be specified in the motion for approval of a special use;
 - c. Shall be required of the property owner and all subsequent owners as a condition of their use of the property; and
 - d. Shall be interpreted and continuously enforced by the Planning Director in the same manner as any other provision of this Development Code.
 - e. Project approval of a preliminary plat or site plan under Division 3 of this Article, a development permit or a building permit shall not be issued for a conditionally approved property until the Planning Director determines that such plans or permits are in compliance with all applicable conditions of approval.

(b) **Change in conditions of conditional zoning approval.**

Any application that proposes a change in the conditions of approval previously established by the Board of Commissioners through action on a rezoning or special use shall be considered a new application and therefore subject to all procedures and provisions of this Article regarding the approval of a zoning change.

Sec. 1215. Planning commission review and public hearing.

(a) **Planning commission review.**

- (1) All papers and other data submitted by the applicant on behalf of the zoning change request shall be transmitted to the planning commission.
- (2) All meetings of the planning commission shall be open to the public. At a meeting, any party may appear in person, or be represented by an agent or attorney.
- (3) No member of the planning commission shall vote on a matter in which he has any material interest, and no staff member may represent an individual application or party.
- (4) The planning commission, at a regular meeting, shall review the request and prepare a report, including its recommendations, for transmittal to the county commission.
- (5) Following the action by the planning commission, all papers and data pertinent to the application shall be transmitted to the county commission for final action.

(b) **Planning commission's recommendation.**

The planning commission shall make a recommendation for approval, approval with conditions or denial no later than their next regularly scheduled meeting following the public hearing, or the request shall go forward with no recommendation. The report of the planning commission shall be forwarded in writing to the Camden County Board of Commissioners for final approval or denial.

(c) **Public hearing procedures - planning commission.**

At the public hearing, the applicant or any other party may appear on his own behalf or be represented by agent or by attorney. The outline for conducting the public hearing on each case shall be as follows:

- (1) Statement of the case by the chairman or his/her designee.
- (2) Supporting argument by applicant or his/her agent or attorney.
- (3) Supporting argument by others at the hearing.
- (4) Opposing arguments by persons at the hearing.
- (5) Final rebuttal by applicant.
- (6) Witnesses may be called, and factual evidence and exhibits may be submitted. The chairman may establish appropriate time limits for arguments, but such time limits shall be equal for both sides and in no case less than 10 minutes. The chairman may request representatives of each side to speak for the entire group or portions of the group, but shall not require such representatives against the wishes of the group or any individual involved.

Sec. 1216. Final action on proposed zoning changes by the Board of Commissioners.

(a) Board of commissioners' decision.

- (1) The Camden County Board of Commissioners shall take action on each application at a regularly scheduled meeting for which adequate notice can be published, but not more than 30 days following receipt of the planning commission report.
- (2) To "take action" is defined as to approve, to approve with conditions, to disapprove or to table the proposal.
- (3) If the proposed amendment is not recommended for approval by the planning commission, it shall require the favorable vote of a majority of the entire sitting membership of the county commission (exclusive of vacancies or abstaining members) to make the amendment effective.
- (4) Following the final action by the county commission on a zoning change, any necessary changes to the official zoning map shall be made by the Planning Director.
- (5) The Planning Director shall maintain a written record (or a tape recording) and date of such changes approved or denied by the county commission, along with any conditions of approval.

(b) Public hearing procedures—board of commissioners.

At the public hearing, the applicant or any other party may appear on his own behalf or be represented by agent or by attorney. The outline for conducting the public hearing on each case shall be as follows:

- (1) Statement of the case by the chairman or his/her designee.
- (2) Supporting argument by applicant or his/her agent or attorney.
- (3) Supporting argument by others at the hearing.
- (4) Opposing arguments by persons at the hearing.
- (5) Final rebuttal by applicant.
- (6) Witnesses may be called, and factual evidence and exhibits may be submitted. The chairman may establish appropriate time limits for arguments, but such time limits shall be equal for both sides and in no case less than 10 minutes. The chairman may request representatives of each side to speak for the entire group or portions of the group, but shall not require such representatives against the wishes of the group or any individual involved.

Sec. 1217. Effect.

Approval of a zoning change shall be in full force and effect upon approval by the county commission.

Sec. 1218. Waiting period to resubmit request.

- (1) After an application for a zoning change is either approved or denied by the county commission, then any portion of the same property may not again be considered for a zoning change until the expiration of at least 6 months immediately following the approval or denial by the county commission. Further, for a zoning change that has been denied, reapplication for the same zoning change that was previously denied may not be made earlier than 12 months from the date of denial of the original application by the county commission.
- (2) An application for a change to a condition of approval pertaining to the grant of a zoning change is considered another zoning change and shall be subject to all requirements of this Section.
- (3) The county commission may only consider property for a zoning change within the waiting periods established under this Section as follows:
 - a. If the original application had been approved by the county commission and a request for re-filing is authorized by the county commission;
 - b. In connection with settlement of litigation; or
 - c. Pursuant to an order by a court of competent jurisdiction. In complying with time constraints as may be imposed by the court, the county commission, if time permits, shall direct staff to publish notice and post the property in accordance with the requirements of Sec. 1210, and notify the applicant and owner in writing prior to taking such action.

DIVISION 2. APPROVAL OF A FUTURE LAND USE MAP AMENDMENT.

[Amended March 2, 2010]

Sec. 1219. Authority to approve a future land use map amendment.

- (1) The Board of Commissioners may approve a future land use map amendment on a property or area; may deny such a request; or, may approve a different or more extensive change than initiated by the Board of Commissioners or requested by the applicant.
- (2) No amendment shall become effective until it is first submitted to and reviewed by the Planning Commission.

Sec. 1220. Initiation of future land use map amendments.

- (1) A future land use map amendment may be initiated by the Board of Commissioners by approval of a resolution on its own motion; or
- (2) A future land use map amendment may be initiated by the owner of the property proposed for the amendment by filing an application with the Planning Director.

Sec. 1221. Application for a future land use map amendment.

For a future land use map amendment initiated by the property owner, the following shall apply:

- (1) The proper form on which to file an application for any future land use map amendment shall be obtained from the Planning Director. The completed application shall be filed with the Planning Director early enough to allow adequate public notice as required under Sec. 1222 (but at least 18 days) prior to the Planning Commission meeting at which the request will be heard. Any recommendation purporting to be an application for amendment shall be regarded as mere notice of intention to seek an amendment until such time as it is made in the form required and is complete in all respects.
- (2) The Planning Department will review the application for completeness within 5 days of submission. Incomplete applications will be returned to the applicant.

- (3) An application for a future land use map amendment shall contain all of the following information in order to be considered complete. If the application accompanies a request for rezoning of the same property, required information can be combined for the applications.
 - a. Letter of intent stating the reasons for the future land use map amendment request, a description of the proposal, and addressing those standards pertinent to consideration of the request under Sec. 1224.
 - b. Existing future land use map category or categories of the property, and the proposed future land use map category or categories. If multiple categories are involved, each category must be clearly delimited by map or boundary description.
 - c. Payment of fees as set forth in the schedule of fees adopted by the Board of Commissioners under Article 14 of this Development Code.
 - d. Copy of the Deed (with legal description) as proof of ownership. If the owner is a corporation or partnership then provide a list of all officers with name, address and telephone number. (If not the owner of the property, also provide a notarized affidavit authorizing the applicant to act on behalf of the owner on the request.)
 - e. Acreage of the property (or square footage if the property is less than 1 acre).
 - f. A list of all adjacent property owners, to include those across any rights-of-way, with their names and addresses. This list must be notarized as being the current list of adjacent owners obtained from the tax assessor's office.
 - g. Optional: Any additional information the applicant feels is pertinent.
- (4) A pending application for a rezoning that is related to or dependent upon a future land use map amendment may be heard at the same public hearing as the future land use map amendment, provided that:
 - a. The pending rezoning application shall have followed all procedures for a zoning change as set forth under Division 10 of this Article, including the notice provisions of Sec. 1211.
 - b. The proposed rezoning and the related future land use map amendment may be heard at the same public hearing at the same time and can be acted on with a single public hearing and motion. *[Amended February 17, 2015]*
 - c. If the future land use map amendment is approved or approved with changes, the proposed rezoning can be considered for action on its own merits.
 - d. If the future land use map amendment is denied, the proposed rezoning shall be withdrawn or denied.
 - e. A tabling of action on a future land use map amendment shall automatically table action on any related application for a proposed rezoning.

Sec. 1222. Public notice.**(a) Future land use map amendments initiated by Camden County.**

Any Camden County action that would result in a future land use map amendment shall provide for a hearing on the proposed action. At least 15, but not more than 45, days prior to the date of the hearing Camden County shall cause to be published within a newspaper of general circulation within the territorial boundaries of Camden County a notice of the hearing. The notice shall state the time, place, and purpose of the hearing.

(b) Future land use map amendments initiated by property owner.

If the future land use map amendment application is initiated by a party other than Camden County:

- (1) The notice, in addition to the requirements of Sec. 1222(a) above, shall include the name of the applicant, the location of the property, acreage of the property, the present future land use category of the property, and the proposed future land use category.
 - (2) Multiple applications on a single property may be combined in a single notice, but must be heard individually at the public hearing.
 - (3) Posting of signs.
 - a. In addition to the newspaper notice, a sign or signs shall be placed by the applicant in a conspicuous location on the property frontage in such manner as to be legible from the public road. On lots with more than one road frontage, a sign will be placed facing each public road. If the property has no road frontage, the sign shall be placed on each road at a location where access will be gained to the property.
 - b. Time frame for posting signs.
 1. The sign(s) must be in place no less than 15 days prior to the date of the public hearing and shall state the date, time and place for the Planning Commission public hearing and the initially scheduled Board of Commissioners public hearing, the present future land use category and the proposed future land use category.
 2. A notarized affidavit stating that the required public notice signs have been placed on the property properly and within the time frame prescribed under Sec. 1222(b)(3)b.1 shall be submitted to the Planning Director no less than 15 days prior to the first public hearing.
 - c. The signs required under this Sec. 1222(b)(3) shall be in addition to any public notice signs required for a related rezoning request on the property.
 - d. The applicant shall remove all public notice signs from the subject property within 3 business days after the date of final action by the Board of Commissioners on the proposed future land use map amendment.
- (c) **Sufficiency of public notice.**
- (1) Where proper notice is given in accordance with this Section, and a sign has been posted in accordance with this Section by the applicant, no further notice to interested parties or adjacent or nearby property owners is required.
 - (2) Failure to provide notice as required by this Section may be grounds for the final action on a proposed future land use map amendment to be declared null and void. It is the responsibility of the applicant for the future land use map amendment to determine prior to the public hearing that proper notice requirements have been met.
 - (3) Appearance of a person at the public hearing shall constitute a waiver of all claims based upon improper publication of notice or posting on the property by such person.

Sec. 1223. Withdrawal.

Any applicant wishing to withdraw an application prior to final action by the Board of Commissioners shall file a written request for withdrawal with the Planning Director.

- (1) The withdrawal request must be in writing and signed by the owner, the applicant or the owner's authorized agent.
- (2) If the request for withdrawal is received prior to the publication of notice for the public hearing as required under Sec. 1222, the application shall be withdrawn administratively by the Planning Director.
- (3) If a request for withdrawal of an application is received after notice has been published (or irretrievably set for publication) for the scheduled Planning Commission public hearing, the application may be withdrawn with the consent of the Planning Commission and removed from further consideration.

- (4) Should any request for withdrawal be made after the public hearing by the Planning Commission, the application shall remain on the Board of Commissioners' agenda and the withdrawal request shall be considered for approval or denial by the Board of Commissioners.

Sec. 1224. Standards governing consideration of a future land use map amendment.

The Planning Commission and the Board of Commissioners shall consider the following in evaluating a future land use map amendment, giving due weight or priority to those factors particularly appropriate to the circumstances of the application:

- (1) The extent to which the proposed designation of a particular land use category is desirable in general in the area, but for which a specific location within the area was not designated on the future land use map due to the uncertainty of specific development opportunities.
- (2) The extent to which a change in the economy or land use or development opportunities of the area has occurred.
- (3) The extent to which the proposed designation is in compliance with the goals and policies of the adopted Camden County Comprehensive Plan.
- (4) The extent to which the proposed designation would require changes in the provision of public facilities and services.
- (5) The extent to which the proposed designation would positively or negatively impact the public health, safety, and welfare.
- (6) The extent to which additional land area needs to be made available or developed for a specific type of use in response to demonstrated market demand.
- (7) The extent to which area demographics or forecasts are not occurring as projected.

Sec. 1225. Planning commission review and public hearing.

(a) **Planning commission review.**

- (1) All papers and other data submitted by the applicant on behalf of the future land use map amendment request shall be transmitted to the Planning Commission.
- (2) All meetings of the Planning Commission shall be open to the public. At a meeting, any party may appear in person, or be represented by an agent or attorney.
- (3) No member of the Planning Commission shall vote on a matter in which he has any material interest (as defined under O.C.G.A. 36-67A, the Georgia Conflict of Interest in Zoning Actions Law), and no staff member may represent an individual application or party.
- (4) The Planning Commission, at a regularly scheduled meeting, shall review the request and prepare a report, including its recommendations, for transmittal to the Board of Commissioners.
- (5) Following the action by the Planning Commission, all papers and data pertinent to the application shall be transmitted to the Board of Commissioners for final action.

(b) **Public hearing procedures—planning commission.**

At the public hearing, the applicant or any other party may appear on his own behalf or be represented by agent or by attorney. The outline for conducting the public hearing on each case shall be as follows:

- (1) Statement of the case by the chairman or his/her designee.
- (2) Supporting argument by applicant or his/her agent or attorney.
- (3) Supporting argument by others at the hearing.

- (4) Opposing arguments by persons at the hearing.
 - (5) Final rebuttal by applicant.
 - (6) Witnesses may be called, and factual evidence and exhibits may be submitted. The chairman may establish appropriate time limits for arguments, but such time limits shall be equal for both sides and in no case less than 10 minutes. The chairman may request representatives of each side to speak for the entire group or portions of the group, but shall not require such representatives against the wishes of the group or any individual involved.
- (c) **Planning commission's recommendation.**
- (1) The recommendation of the Planning Commission on a future land use map amendment shall be based on, but not limited to, a consideration of the standards set forth in Sec. 1224 of this Division, as appropriate to the request.
 - (2) In considering an amendment to the future land use map, the Planning Commission may recommend that the Board of Commissioners approve or deny the proposed designation, approve the extension of the proposed designation to other properties affected by the proposal, approve a reduction in the area of the requested change, approve a different future land use map category than requested, or may recommend such other action as the Planning Commission deems appropriate.

Sec. 1226. Final action on proposed future land use map amendments by the Board of Commissioners.

(a) **Public hearing procedures—board of commissioners.**

At the public hearing, the applicant or any other party may appear on his own behalf or be represented by agent or by attorney. The outline for conducting the public hearing on each case shall be as follows:

- (1) Statement of the case by the chairman or his/her designee.
 - (2) Supporting argument by applicant or his/her agent or attorney.
 - (3) Supporting argument by others at the hearing.
 - (4) Opposing arguments by persons at the hearing.
 - (5) Final rebuttal by applicant.
 - (6) Witnesses may be called, and factual evidence and exhibits may be submitted. The chairman may establish appropriate time limits for arguments, but such time limits shall be equal for both sides and in no case less than 10 minutes. The chairman may request representatives of each side to speak for the entire group or portions of the group, but shall not require such representatives against the wishes of the group or any individual involved.
- (b) **Board of commissioners' decision.**
- (1) The Camden County Board of Commissioners shall take action on each application at a regularly scheduled meeting for which adequate notice can be published, but not more than 30 days following receipt of the Planning Commission report.
 - (2) To "take action" is defined as to approve or deny the proposed designation, approve the extension of the proposed designation to other properties affected by the proposal, approve a reduction in the area of the requested change, approve a different future land use map category than requested, or take such other action as the Board deems appropriate (including tabling of the application). Alternately, the Board of Commissioners may allow an application to be withdrawn without prejudice.
 - (3) The decision by the Board of Commissioners on a future land use map amendment shall be based on, but not limited to, a consideration of the standards set forth in Sec. 1224 of this Division, as appropriate to the request.

- (4) If the proposed amendment is not recommended for approval by the Planning Commission, it shall require the favorable vote of a majority of the entire sitting membership of the Board of Commissioners (exclusive of vacancies or abstaining members) to make the amendment effective.
- (5) Following the final action by the Board of Commissioners on a future land use map amendment, any necessary changes to the future land use map shall be made by the Planning Director.
- (6) The Planning Director shall maintain a written record (or a tape recording) and date of such changes approved or denied by the Board of Commissioners, along with any conditions of approval.
- (7) In amending the future land use map, the Board of Commissioners may approve or deny the proposed designation, approve the extension of the proposed designation to other properties affected by the proposal, approve a reduction in the area of the requested change, approve a different Future Land Use map category than requested, or take such other action as the Board deems appropriate. Alternately, the Board of Commissioners may allow an application to be withdrawn without prejudice.

Sec. 1227. Effect.

Approval of a future land use map amendment shall be in full force and effect upon approval by the Board of Commissioners.

Sec. 1228. Waiting period to resubmit request.

- (1) After an application for a future land use map amendment is either approved or denied by the Board of Commissioners, then any portion of the same property may not again be considered for a future land use map amendment until the expiration of at least 6 months immediately following the approval or denial by the Board of Commissioners.
- (2) The Board of Commissioners may only consider property for a future land use map amendment within the waiting period established under this Section as follows:
 - a. If the original application had been approved by the Board of Commissioners and a request for re-filing is authorized by the Board of Commissioners;
 - b. In connection with settlement of litigation; or
 - c. Pursuant to an order by a court of competent jurisdiction. In complying with time constraints as may be imposed by the court, the Board of Commissioners, if time permits, shall direct staff to publish notice and post the property in accordance with the requirements of Sec. 1222, and notify the applicant and owner in writing prior to taking such action.

DIVISION 3. PROJECT APPROVAL.

The Planning Department must first approve a preliminary plat for a major subdivision or a preliminary site development plan for development of a multi-family or nonresidential project prior to the issuance of a development permit or initiation of any land disturbing or construction activities.

Sec. 1229. Responsibility for project approval.

- (1) The Director of Planning is responsible for administering the review and approval process for preliminary subdivision plats and site development plans. The Director of Planning shall forward a copy of the project approval application to other appropriate County Departments, the Georgia Department of Transportation, or others as appropriate, for their review and comment. The Director of Planning shall provide all comments to the applicant for resolution, who shall work directly with each department as necessary to resolve all issues.

- (2) A preliminary plat or site development plan may be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person professionally familiar with land development and project construction activities.

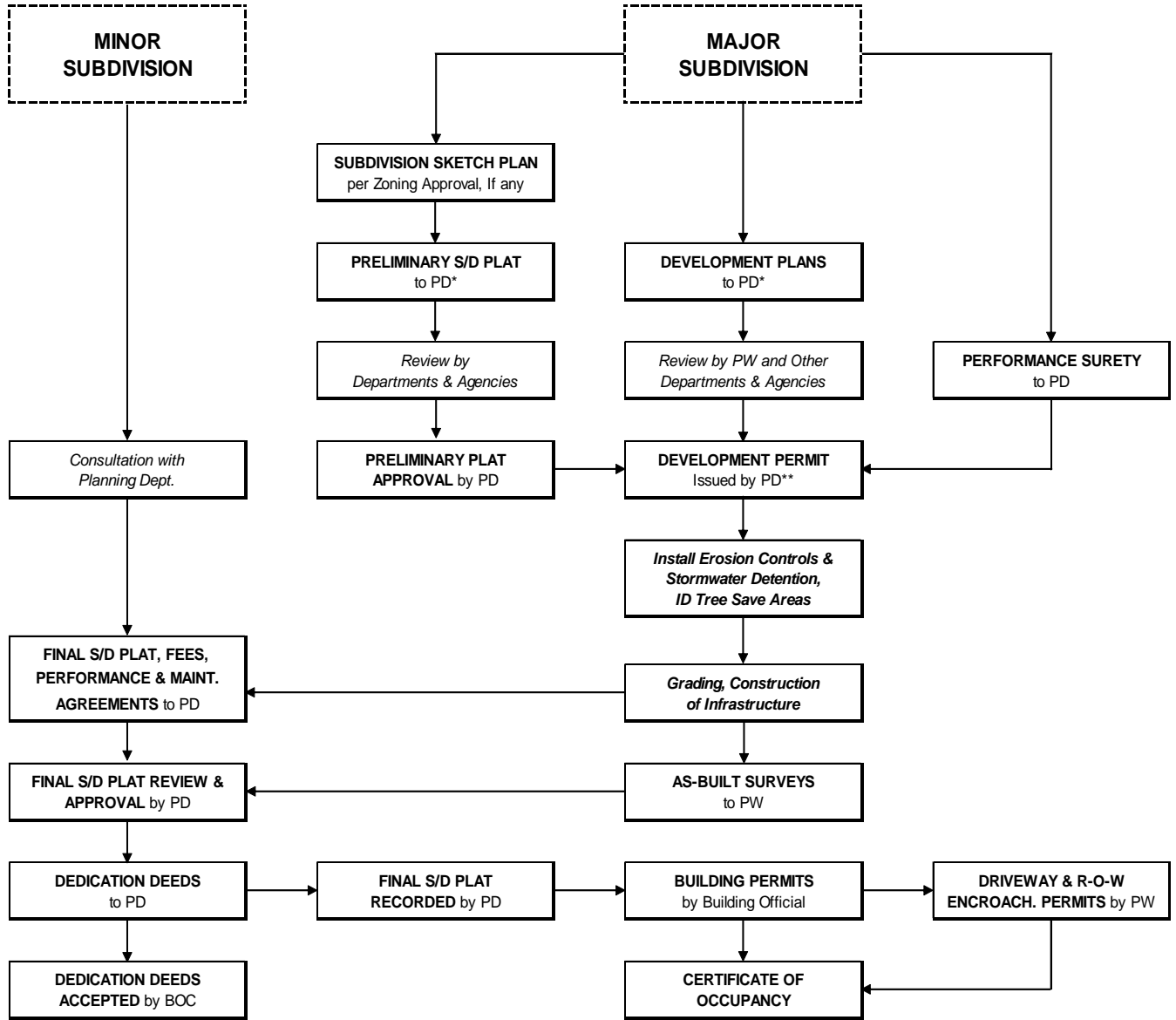
Sec. 1230. Procedure for project approval.

- (1) A pre-application review with a preliminary concept plan is suggested. Such concept plan shall be the sketch subdivision plan, preliminary site development plan or PD concept plan associated with rezoning or special use approval of the property, if any.
- (2) An application for project approval may be processed independently or in conjunction with an application for issuance of a development permit.
- (3) An application for project approval shall be submitted to the Planning Department. The application shall include:
 - a. The name and address of the person requesting review.
 - b. A properly completed application form, as furnished by the Planning Department, requesting review for project approval.
 - c. A number of copies, as established by the Director of Planning, of the preliminary subdivision plat or site development plan showing the entire ownership drawn to the specifications of this Section.
 - d. Payment of the applicable application and review fees as established by the Board of Commissioners from time to time.
- (4) The Planning Department will review the application for completeness within 5 days of submission. Incomplete applications will be returned to the applicant.
- (5) If the subdivision includes or abuts a U.S. or State numbered highway, unless all of the lots in the subdivision contain 5 acres or more and no new street is involved, review by the Georgia Department of Transportation (DOT) is required under O.C.G.A. 32-6-151. Two additional copies of the preliminary plat must be submitted to the Planning Department for forwarding to DOT. The owner or subdivider must respond to the recommendations of the DOT prior to project approval by the County. If the written recommendations of the DOT are not made within 30 days of receipt of the plat by DOT, their approval shall be assumed as provided under State law. *[Amended April 21, 2009]*
- (6) Following review of the application, the Planning Department will indicate on the drawing or in writing, all comments related to compliance with this Development Code.
- (7) The owner is responsible for compliance with all codes, regulations and zoning requirements, including all codes and requirements of other departments and agencies¹ (such as NPDES and Section 404, as applicable), and for the satisfaction of all the noted and written comments.
- (8) The Planning Department may not approve any preliminary subdivision plat or site development plan that shows a lot or situation that would clearly require a variance to order to be reasonably usable, whether due to the presence of flood plain, unusual configuration, zoning compliance, lack of public utilities, or for any other reason.
- (9) When the Planning Department has determined that the preliminary subdivision plat or site development plan is in compliance with the requirements, purpose and intent of this Development Code, it will be approved. The Director of Planning will sign and date the CERTIFICATE OF PROJECT APPROVAL stamped or printed on a reproducible copy of the preliminary subdivision plat or site development plan. One copy of the approved drawing will be transmitted to the applicant and 1 copy will be retained by the Planning Department.

¹ See the list of other departments and agencies under Sec. 1233(e)(5).

- (10) The Certificate of Project Approval will remain in effect for a period of 12 consecutive months after which time it will become null and void and a new Certificate may be required if no permit has been issued or no development activity has begun.

Subdivision Development Approval Process

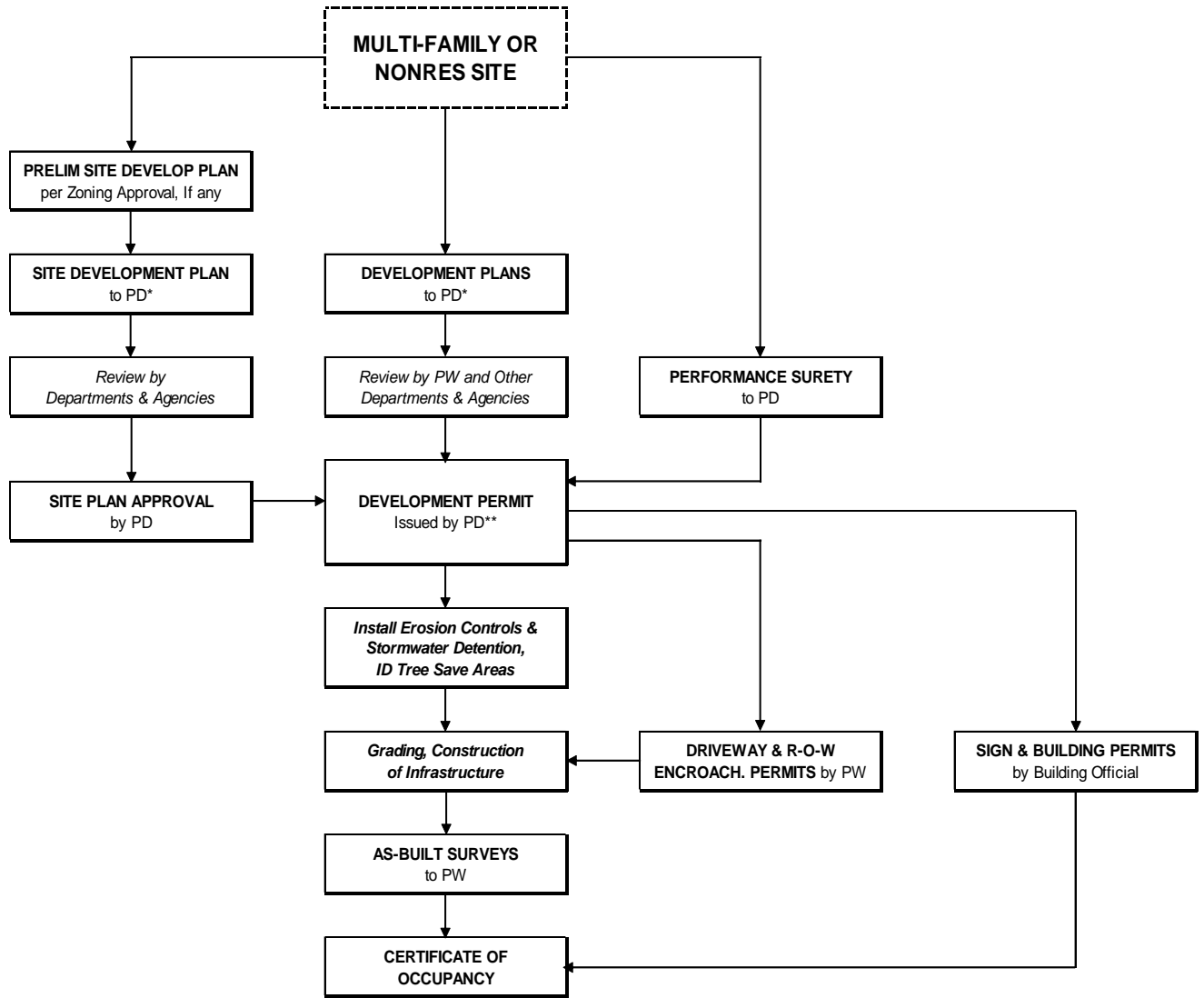


PD -- Planning Director / Planning Department
 PW -- Public Works Director / Public Works Department
 BOC -- Board of Commissioners

* Incomplete applications will be returned within 5 days.
 ** Including Flood Area Permit, if applicable.

This flow chart is **ILLUSTRATIVE ONLY**. See the Development Code text for details and application requirements.

Site Development Approval Process



PD -- Planning Director / Planning Department
PW -- Public Works Director / Public Works Department

* Incomplete applications will be returned within 5 days.
** Including Flood Area Permit, if applicable.

This flow chart is **ILLUSTRATIVE ONLY**. See the Development Code text for details and application requirements.

Sec. 1231. Requirements for project approval.**(a) General standards for project approval.**

- (1) The proposed name of the development and proposed street names shall not duplicate or too closely approximate, phonetically, the name of any other development or street in the County, whether within the unincorporated area or in a municipality. If shown to the contrary, the Planning Department may refuse to accept such development or street names. The development may use letter designations in place of proposed street names at the option of the applicant.
- (2) The preliminary plat or site development plan shall be prepared on a boundary survey of the entire tract to be subdivided or developed showing the location of the boundaries and dimensions of the tract to be developed. The boundary survey shall be signed and sealed by the state registered surveyor who prepared it.
- (3) The preliminary subdivision plat or site development plan shall be clearly and legibly drawn at a scale of not less than 100 feet to 1 inch. The recommended maximum dimensions of the sheet size is 36 inches by 42 inches and the minimum dimensions of 17 inches by 22 inches; however, the Director of Planning may approve other sheet sizes and graphic scales as appropriate.
- (4) For property of over 100 acres, a smaller scale may be used where, in the judgment of the Director of Planning, presentation of detailed data is not necessary to evaluate the entire project. It is the intent of this provision that in all cases sufficient information shall be provided for an adequate evaluation of the public and private improvements.

(b) Preliminary plat or site development plan requirements.

Each preliminary plat or site development plan shall show the following:

- (1) Caption:
 - a. Proposed name of the development and its acreage (or square footage if less than an acre).
 - b. Name, mailing address, telephone and fax numbers, and email address of the property owner and subdivider or developer.
 - c. Name, mailing address, telephone and fax numbers, and email address of the applicant.
 - d. Name, mailing address, telephone and fax numbers, and email address of the individual or company responsible for the design. The name, registration number and seal of the professional under whom the plan was prepared shall be stamped on the plan and signed.
 - e. Date of survey, north point (in accordance with Sec. 1240(b)(2)h) and graphic scale, source of datum, date of plan drawing, and revision dates, as appropriate.
- (2) Proposed use of the property, including a statistical summary of development factors such as density, nonresidential floor area, number of lots or dwelling units, and minimum unit sizes, as may be pertinent to the type of project.
- (3) Location (tax map and parcel number) and size of the property in acres (or in square feet if less than an acre).
- (4) Location map of the property in relation to the surrounding area with regard to well known landmarks such as arterial streets, railroads or others. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch.
- (5) Name and boundary of former approved subdivision if any or all of the land in the preliminary subdivision plat or site development plan has been previously subdivided, showing boundaries of the lots to be re-subdivided.

- (6) Zoning district classification of the subject property and all adjacent properties, and zoning district boundaries as appropriate.
 - (7) Rezoning or special use application number, date of approval, and stipulations (conditions of approval), as applicable.
 - (8) Variances obtained on the property by application number, date of approval, and stipulations (conditions of approval), as applicable.
 - (9) Recorded deed names of adjoining property owners or subdivisions.
 - (10) Natural features within the property, including:
 - a. Drainage channels, bodies of water, wooded areas and other significant natural features.
 - b. On all water courses entering or leaving the property, the direction of flow shall be indicated, the 100-year flood plain, and wetland areas
 - c. All Primary Conservation Areas as defined under the Environmental Protection Article of this Code.
 - d. All Secondary Conservation Areas as defined under the Environmental Protection Article of this Code that are proposed to be retained.
 - (11) Protected groundwater recharge areas.
 - (12) Man-made features within and adjacent to the property, including street right-of-way and pavement widths, names of existing streets, all easements, city and county political boundary lines, and other significant information such as location and dimensions of bridges, utility lines, existing buildings to remain, and other features
 - (13) The proposed project layout including:
 - a. For subdivisions, lot lines and street right-of-way lines, with proposed street names or letter designations and right-of-way widths, along with the minimum front yard building setback line and the dimension of its length on each lot (i.e., the lot width as defined in this Code), the length of frontage along a street right-of-way line (if a minimum is required by the zoning district), the area of the lot, and land to be reserved for public uses. Lots may be keyed to a table showing the lot width, frontage (if a minimum is required) and area of each lot.
 - b. For multi-family and nonresidential development site development plans, the outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, buffers, parking areas, driveways, curb cuts, and designated fire lanes.
 - (14) Topographic contours with a minimum vertical interval of two feet shall be provided for both existing and proposed topography. Existing contour lines are to be shown with a solid line, and proposed contour lines are to be shown as a broken (dashed) line.
 - (15) The proposed phasing of the development if it is proposed to be built in sections.
 - (16) A statement as to the source and adequacy of domestic water supply.
 - (17) A statement as to the provision for sanitary sewage disposal and treatment capacity, if applicable.
 - (18) The approximate location of proposed storm water detention facilities.
 - (19) Such additional information as may be reasonably required by the Planning Director to permit an adequate evaluation of the development activity proposed in the application.
- (c) **Design professional and owner certifications.**

Each preliminary plat or site development plan is to include a certification by the design professional and by the owner that read as shown on Figure 12.1 and are signed in blue ink on the original drawing.

(d) **Evidence of project approval.**

Each preliminary subdivision plat or site development plan shall carry a Certificate of Project Approval, stamped or printed, on the plat or site development plan submitted for approval, to read as shown in Figure 12.2 below. *[Amended March 17, 2015]*

Figure 12.1

DESIGN PROFESSIONAL CERTIFICATION

It is hereby certified that this [preliminary plat][site development plan] was prepared using a survey of the property prepared by _____, RLS, and dated _____; and further that the proposed [subdivision][development] meets all requirements of the Camden County Unified Development Code, as applicable to the property.

By (name): _____

Signed: _____

Registered Design Professional No. _____

Address: _____

Telephone Number: _____

Date: _____

OWNER'S CERTIFICATION

As the owner of this land, as shown on this [preliminary plat][site development plan], or his agent, I certify that this drawing was made from an actual survey, and accurately portrays the existing land and its features and the proposed development and improvements thereto.

Date: _____

[Owner][Agent] (name): _____

Signed: _____

Figure 12.2

CERTIFICATE OF PROJECT APPROVAL

All applicable requirements of the Camden County Unified Development Code relative to Project Approval having been fulfilled, approval of this [preliminary plat][site development plan] is hereby granted by the Camden County Director of Planning, subject to further compliance with all provisions of said Development Code.

Director of Planning (or designee)

Date _____

This approval does not constitute approval of a development permit or of a Final Subdivision Plat. This Certificate of Project Approval shall expire 12 months from the date of approval if a development permit has not been issued or a development permit has been issued but development activity has not been commenced.

NOT FOR RECORDING

DIVISION 4. DEVELOPMENT APPROVAL.

Sec. 1232. Requirements for development plans.

(a) Development plans required.

- (1) Persons seeking to undertake land-disturbing activity (as defined in this Development Code) shall not commence or proceed until development plans are approved and a development permit is issued by the Planning Department. The process for approval of a development permit is presented in the Development Permit Section (Sec. 1233), below.
- (2) The development plans for a project shall conform in all respects with the requirements of this Development Code, and shall include each of the plans in this Section as appropriate to the project. These include:
 - a. Erosion and Sediment Control Plan;
 - b. Grading Plan;
 - c. Stormwater Management Plan;
 - d. Street Improvement Plan;
 - e. Street widening construction data;
 - f. Landscaping, Buffer and Tree Conservation Plans; and,
 - g. Public or Community Utility Plans.
- (3) Standard plans and specifications referred to in this section are the minimum acceptable standards. Additional information may be required by the County as needed for a complete understanding of the development proposed.

(b) Erosion, sedimentation and pollution control plan.

- (1) Plans must be prepared to meet the erosion and sediment control requirements of the Erosion Control and Stormwater Management Article of this Development Code. Conformance with the minimum requirements may be attained through the use of design criteria in the current issue of the *Manual for Erosion and Sediment Control in Georgia*; or through the use of alternate design criteria that conform to sound conservation and engineering practices. The erosion and sedimentation control plan shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed waterways, sediment control and storm water management facilities, local ordinances and State laws.
- (2) Data required for erosion and sediment control plan.
 - a. Narrative or notes, and other information: Notes or narrative to be located on the erosion and sediment control plan in general notes or in erosion and sediment control notes.
 - b. Description of existing land use at project site and description of proposed project.
 - c. Name, address and phone number of the property owner and the developer.
 - d. Name and phone number of 24-hour local contact who is responsible for erosion and sediment controls.
 - e. Size of project, or phase under construction, in acres.
 - f. Activity schedule showing anticipated starting and completion dates for the project. Include the statement in **bold letters** that **“the installation of erosion and sediment control measures shall occur prior to or concurrent with land-disturbing activities.”**

- g. Stormwater and sedimentation management systems storage capacity, hydrologic study, and calculations, including off-site drainage areas.
 - h. Vegetative plan for all temporary and permanent vegetative practices, including species, planting dates, and seeding, fertilizer, lime and mulching rates. The vegetative plan should show options for year-round seeding.
 - i. Detail drawings for all structural practices. Specifications may follow guidelines set forth in the *Manual for Erosion and Sediment Control in Georgia* or the *Georgia Stormwater Management Manual*, as applicable.
 - j. Maintenance statement to read as follows: "Erosion and sediment control measures will be maintained at all times. If full implementation of the approved plan does not provide for effective erosion and sediment control, additional erosion and sediment control measures shall be implemented to control or treat the sediment source."
- (3) Maps, drawings and supportive computations shall bear the signature/seal of a registered or certified professional in engineering, architecture, landscape architecture, land surveying or erosion and sediment control. All persons involved in land development design, review, permitting, construction, monitoring, or inspection or any land-disturbing activity shall meet the education and training certification requirements pursuant to O.C.G.A. 12-7-20.

The certified plans shall contain:

- a. Graphic scale and north point or arrow indicating magnetic north.
- b. Vicinity map showing location of project and existing streets.
- c. Boundary line survey.
- d. Delineation of disturbed areas within project boundary.
- e. Existing and planned contours, with contour lines drawn with an interval in accordance with the following:

| Map Scale | Ground Slope | Contour Interval, ft. |
|----------------------------------|---------------|-----------------------|
| 1 inch = 100 ft. or larger scale | Flat 0--2% | 0.5 or 1 |
| | Rolling 2--8% | 1 or 2 |
| | Steep 8%+ | 2.5 or 10 |

- f. Spot elevations:
 - 1. For sites smaller than 1 acre in size, show the direction of drainage and spot elevations at all breaks in grade and along drainage channels or swales at selected points not more than 100 feet apart.
 - 2. For sites of 1 acre and larger with slopes of less than 2 percent, show contours at intervals of not more than 1 foot and spot elevations at all breaks in grade along drainage channels and swales at selected points not more than 100 feet apart.
- g. Adjacent areas and features such as streams, lakes, residential areas, etc. which might be affected should be indicated on the plan.
- h. The limits of the 100-year flood plain and wetland areas.
- i. Proposed structures or additions to existing structures and paved areas.
- j. The required river or stream buffer adjacent to state waters as required under the Environmental Protection and the Erosion Control and Stormwater Management Articles of this Development Code.

- k. Location of erosion and sediment control measures using coding symbols from the *Manual for Erosion and Sediment Control in Georgia*, Chapter 6.
 - (4) Maintenance of all soil erosion and sediment control practices, whether temporary or permanent, shall be at all times the responsibility of the property owner.
- (c) **Grading plan.**
 - (1) Grading plans shall identify existing and proposed topographic contour lines at the interval required for erosion and sediment control plans, above.
 - (2) Grading plans shall outline any area that is required to remain undisturbed, such as a natural buffer, tree protection area or greenway (see the Buffers, Landscaping and Tree Conservation Article and the Environmental Protection Article of this Code) and shall identify and describe the protective fencing or staking to be placed surrounding such area.
 - (3) If the property contains any area of special flood hazard (the 100-year flood plain) or wetlands, grading plans in and around the flood plain or wetlands shall be designed in conformance to all requirements relating to Flood Damage Prevention under the Erosion Control and Stormwater Management Article and the Environmental Protection Article of this Development Code, as applicable.
- (d) **Stormwater management plan.**

A stormwater management permit (as part of a development permit) is required for all developments, except for those specifically exempted in this Code.

- (1) Submission of Plan.
 - a. Review and Approval.

In order to obtain a stormwater management permit, a stormwater management site development plan showing the design of the development shall be provided for review and approval.
 - b. Effect on permits.

A development permit, building permit or land disturbance permit shall not be issued without an approved stormwater management site development plan.
- (2) General Standards.

All drainage facilities shall be included in a surface drainage plan and shall be so designed to serve the entire drainage area. No increase in peak discharge shall be permitted unless calculations are submitted and approved showing that such increase will not adversely affect upstream or downstream conditions.
- (3) Requirements for proposed improvements.

The location and size of all proposed stormwater improvements shall be designed in accordance with and meet all standards relating to stormwater management of the *Georgia Stormwater Management Manual*, Volume 2.
- (4) Stormwater management site development plan requirements.

The storm water management plan shall include the information listed below, as more specifically detailed in the *Georgia Stormwater Management Manual*, Volume 2.

 - a. Existing conditions hydrologic analysis.
 - 1. A topographic map of existing site conditions with the basin boundaries indicated.
 - 2. Acreage, soil types and land cover of areas for each sub-basin affected by the project.
 - 3. All perennial and intermittent streams and other surface water features.
 - 4. All existing stormwater conveyances and structural control facilities.

5. Direction of flow and exits from the site.
 6. Analysis of runoff provided by off-site areas upstream of the project site.
 7. Methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology.
- b. Post-development hydrologic analysis.
1. A topographic map of developed site conditions with the post-development basin boundaries indicated.
 2. Total area of post-development impervious surfaces and other land cover areas for each sub-basin affected by the project.
 3. Unified stormwater sizing criteria runoff calculations for water quality, channel protection, overbank flooding protection and extreme flood protection for each sub-basin.
 4. Location and boundaries of proposed natural feature protection areas, such as natural buffers and tree protection areas and primary conservation areas.
 5. Documentation and calculations for any applicable site design credits that are proposed to be utilized.
 6. Methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology.
- c. Stormwater management system.
1. Drawing or sketch of the stormwater management system including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls. This drawing is to show design water surface elevations, storage volumes available from zero to maximum head, location of inlet and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes.
 2. Narrative describing that appropriate and effective structural stormwater controls have been selected.
 3. Cross-section and profile drawings and design details for each of the structural stormwater controls in the system. This is to include supporting calculations showing that the facility is designed according to the applicable design criteria.
 4. Hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (including stage-storage or outlet rating curves, and inflow and outflow hydrographs).
 5. Documentation and supporting calculations showing that the stormwater management system adequately meets the unified stormwater sizing criteria.
 6. Drawings, design calculations and elevations for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catch basins, channels, swales and areas of overland flow.
- d. Downstream analysis.
- Supporting calculations for a downstream peak flow analysis using the ten-percent rule necessary to show safe passage of post-development design flows downstream.
- e. Operations and maintenance plan.
- Description of maintenance tasks, responsible parties for maintenance, funding, access and safety issues.
- f. Evidence of acquisition of applicable local and non-local permits.

Such evidence shall include a copy of the Notice of Intent (NOI) form submitted to DNR under General Permit No. GAR100000 (relating to authorization under NPDES for storm water discharges associated with construction activity).

g. Waiver requests (if any).

Waivers from the provisions of the *Georgia Stormwater Management Manual* will be considered on a case-by-case basis. Waivers may be granted only when a requirement is shown to be impractical or having no benefit on adequate stormwater management of the site, or for an alternative approach that will have greater benefit and practicality than that otherwise required.

(e) **Street Improvement Plan.**

- (1) Plans must include centerline profiles and typical street sections of all proposed streets. Profiles 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 street 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) Centerline profile 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 not less than 200 feet.
- (4) All elevations shall be coordinated and tied into U.S. Coast and Geodetic Survey or department of transportation benchmarks where feasible, or into reference monuments established by the Federal Emergency Management Agency.
- (5) A street striping and signage plan, showing improvements in accordance with the *Manual on Uniform Traffic Control Devices*, latest edition as published by the Federal Highway Administration, shall be prepared for any street newly constructed or widened to 4 or more lanes.

(f) **Landscaping, buffer and tree conservation plans.**

All proposed site landscaping and buffers as required by this Code for parking lot landscape areas, trees and street-side screening; in buffers; and trees to be retained or planted as required by the tree conservation provisions of this Code, shall be illustrated on plans as described in this Subsection. The plans may be consolidated as one plan if the information can be clearly shown.

- (1) Site landscaping plan.
 - a. Scale at 1 inch = 20 feet to 50 feet, as needed to clearly illustrate the proposed plantings. Multiple sheets keyed to an index sheet may be used.
 - b. Caption:
 1. The name of the development and its acreage (or square footage if less than an acre).
 2. Name, address, telephone and fax numbers of the property owner and subdivider or developer.
 3. Name, address, telephone and fax numbers of the applicant.
 4. Name, address, telephone and fax numbers of the individual or company responsible for the design. The name, registration number and seal of the professional under whom the plan was prepared shall be stamped on the plan and signed.
 5. Date of survey, north point and graphic scale, source of datum, date of plan drawing, and revision dates, as appropriate.
 - c. The location and size of all underground or aboveground utilities on the site, including the limits of any public or private utility easements and stormwater detention areas.

- d. The location of all existing and proposed parking areas, sidewalks and other paved or impervious surfaces.
- e. The outline of all existing and proposed buildings and structures.
- f. The boundaries of all natural buffers, greenways and other areas required to remain undisturbed.
- g. The boundaries of each required landscape strip.
- h. A planting plan showing the location, size and common name of proposed plant materials.
- i. The location, size and common name of all existing plant materials to be retained that contribute to meeting the minimum requirements of this Code for landscape strips or parking lot landscaping.

(2) Buffer plan.

A buffer plan shall be prepared for any natural or structural buffer required in accordance with the specifications and standards contained in this Development Code. The buffer plan shall show:

- a. Caption, as required under Sec. 1232(f)(1)b for site landscaping plans.
- b. The boundaries of each required buffer area.
- c. The location and size of all underground or aboveground utilities on the site, including the limits of any public or private utility easements and stormwater detention areas.
- d. For each natural buffer, the plan must show:
 1. Methods to be employed to protect the critical root zones of the trees in the buffer from disturbance during construction, including fencing details, erosion control, signage, etc., consistent with the Protection of Existing Trees Section of the Buffers, Landscaping and Tree Conservation Article of this Development Code.
 2. Proposed supplemental plantings required to maintain the opaque visual screen required.
- e. For each structural buffer, the plan must show:
 1. All grading and construction details for earthen berms, walls and fences that are proposed as part of the visual screen.
 2. A planting plan showing the location, size and common name of proposed plant materials.
 3. The location, size and common name of all existing plant materials to be retained that contribute to meeting the minimum requirements of this Code for buffers.
 4. Typical cross-sections of the buffer illustrating the improvements proposed and typical location of vegetation. At least one cross-section shall be provided for each buffer.

(3) Tree conservation plan.

The tree conservation plan shall be submitted to the Planning Department prior to any grading, bulldozing or other removal of existing vegetation that may affect the health of existing tree coverage.

- a. Tree conservation plan; preparation.
 1. The tree conservation plan for any multi-family or nonresidential development shall be related to the site development plan for the project. Combination of the tree conservation plan and the site landscaping plan is encouraged.
 2. For nonresidential subdivisions (and residential subdivisions when required), the tree conservation plan shall be drawn on a copy of the preliminary subdivision plat, to which the information required by this Subsection will be added.
- b. The tree conservation plan shall include the following basics:

1. For multi-family or nonresidential development projects, scale at 1 inch = 20 feet to 50 feet, as needed to clearly illustrate the proposed plantings. Multiple sheets keyed to an index sheet may be used.
 2. Caption, as required under Sec. 1232(f)(1)b for site landscaping plans.
 3. The location and size of all underground or aboveground utilities on the site, including the limits of any public or private utility easements and stormwater detention areas. Off-site easements that may be affected by tree plantings must also be shown.
 4. The location of all existing and proposed parking areas, sidewalks and other paved or impervious surfaces.
 5. The outline of all existing and proposed buildings and structures.
 6. The boundaries of all natural buffers, greenways and other areas required to remain undisturbed.
 7. The boundaries of each required landscape strip.
- c. The tree conservation plan shall show the following:
1. The extent of the development site or disturbed area, the gross area of the site, and the net site area to which the tree conservation requirements apply.
 2. Specimen trees:
 - i. Each specimen tree that will remain on the development site and be protected during construction, including its size in DBH and its common name; and all other trees or tree stands that are submitted for credit as part of the tree conservation requirement.
 - ii. Grade changes or other work adjacent to a specimen tree that would affect it adversely, with drawings or descriptions as to how the grade, drainage, and aeration will be maintained around the tree.
 3. Tree plan:
 - i. Limits of tree conservation areas, showing existing trees to be retained and new trees to be planted, specifying type and size.
 - ii. In heavily wooded areas that will not be disturbed, the plan may show only the boundaries of each stand of trees and a list of trees in each stand that are submitted for credit by number and size (or size grouping by 3-inch spreads, such as 7-9 inches).
 - iii. Calculations showing compliance with the tree unit requirements of the Tree Conservation Division of the Buffers, Landscaping and Tree Conservation Article of this Development Code.
 - iv. Planting schedule, if applicable.
 - v. Curb stops to prevent vehicle overhang, where required to protect planting areas and vegetation.
 4. Irrigation.
 - i. The tree conservation plan is to include a note indicating the type of irrigation to be used. If hand watering is the type to be used, the plan must show the location of water faucets or quick couplers that will be used for this purpose.
 - ii. If an irrigation system is provided, a separate irrigation plan is to be submitted showing the location of lines and heads, the spray radius for each head, all valves (control, shut off, drainage, etc.), timer and rain sensor location. The name and telephone number of a responsible 24-hour emergency contact shall be prominently displayed on the plan.

5. During-construction activities:
 - i. Methods to be employed to protect the critical root zones of the trees from disturbance during construction, including fencing details, erosion control, signage, etc., consistent with the Protection of Existing Trees Section of the Buffers, Landscaping and Tree Conservation Article of this Development Code.
 - ii. Staging areas for parking, materials storage, concrete washout, and debris burn and tub grinding.
6. Additional information.
Additional information that the Planning Director may require to provide a full understanding of conditions on the site and the elements of the proposed tree conservation plan or during-construction activities.
7. Notes. Each tree conservation plan shall include notes clearly printed on each plan sheet, as shown in Figure 12.3.

Figure 12.3: TREE CONSERVATION PLAN NOTES

All tree protection devices must be installed and inspected prior to clearing, grubbing or grading. Call the Camden County Planning Department for an inspection.

Tree protection shall be vigorously enforced. No activities of any kind are to be allowed within any area shown to be undisturbed on this plan.

The retention and planting of trees as shown on this plan must be verified prior to issuance of a Certificate of Occupancy or acceptance of the project. Call the Camden County Planning Department for an inspection.

Light poles and other permanent structures, except fire hydrants, are prohibited in parking lot islands.

A maintenance inspection of trees will be performed after one full growing season from the date of final construction inspection. Project owners at the time of the maintenance inspection are responsible for compliance with the provisions of this plan and the Camden County Unified Development Code.

(g) **Public or community utility plans.**

(1) Domestic water supply plan.

If connection to a public or community water system is proposed or required, the domestic water supply plan shall depict all water system improvements, water mains, fire hydrants, valves and other appurtenances, and other information as may be required by the applicable water jurisdiction.

(2) Sewage disposal plan.

- a. If a connection to a public or community system is proposed, sewage disposal plans are to include: sanitary sewerage plans, including profiles of all mains and outfalls, lift station and force main details, typical manhole construction details and other information as may be required by the applicable sanitary sewer jurisdiction.
- b. For projects approved to be served by on-site sewage disposal systems, location of septic tank, extent of drain field and attendant structures, location and results of percolation tests, and other information shall be shown as required by the County Health Department.

Sec. 1233. Development permit.**(a) Responsibility for development actions.**

- (1) No person shall conduct any land-disturbing activity, including grading, clearing and grubbing, tree clearance, land development or project construction without first obtaining a development permit from the Planning Department to perform such activity.
- (2) Any person proposing development shall first submit to the Planning Department an application for a development permit, including all civil design and construction drawings required by Sec. 1232(a)(2) of this Development Code. The application must be authorized by the property owner.
- (3) The Planning Department is responsible for administering the review and approval process for issuance of development permits. The Planning Department shall forward a copy of the development permit application, including the civil design and constructions drawings for the project, to the Public Works Department and other departments, the Soil and Water Conservation Commission District, the Georgia Department of Transportation or others as appropriate, for their review and comment. The Planning Department shall provide all comments to the applicant for resolution, and shall issue the development permit when all necessary approvals and all requirements of this Development Code are met.
- (4) Approval of plans by the Public Works and Planning Departments shall not imply or 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.
- (5) The completion of inspections and authorization for work continuation shall not transfer responsibility for the quality of the work performed or materials used from the owner, 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.
- (6) No development permit shall be interpreted to relieve any owner of the responsibility of maintaining full compliance with all applicable codes, ordinances and other regulations. Any development permit issued in error or in contradiction to the provisions of this Development Code shall be considered to have been null and void upon its issuance.
- (7) Liability.
 - a. The approval of an erosion and sedimentation control plan or other plans under the provisions of this Development Code, the issuance of a development permit, or the compliance with any other provisions of this Development Code shall not relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the Board of Commissioners or the Soil and Water Conservation District for damage to any person or property.
 - b. The fact that any activity for which a development permit has been issued results in injury to the property of another shall neither constitute proof of, nor create a presumption of, a violation of the standards provided for in this Development Code or the terms of the development permit.

(b) Development activities authorized.

- (1) Activities authorized by permit.

A development permit shall be issued to authorize all activities associated with development activity regulated by this Code, including, but not limited to, clearing and grubbing, grading and the construction of such improvements as streets, surface parking areas and drives, storm water drainage facilities, sidewalks, or other structures permanently placed on or in the property except for buildings, signs, or other structures requiring the issuance of a building permit.

- (2) Two-Step process.

Approval of a development shall initially authorize only the placement of erosion control measures, stormwater detention facilities, and the identification in the field of areas to remain undisturbed such as natural buffers, tree save areas or individual trees to be protected. Upon inspection and approval by the County, other land development activities authorized by the development permit may proceed.

(c) **Clearing and grubbing permit.**

A development permit authorizing only clearing and grubbing shall not be issued prior to project approval of a preliminary plat for a subdivision or prior to approval of a site development plan for a multi-family or nonresidential development project. Issuance of a development permit authorizing only clearing and grubbing shall require approval of a grading plan for the development, a soil erosion and sediment control plan, and landscaping, buffers and tree conservation plans.

- (1) A soil erosion and sediment control plan prepared in accordance with the requirements of the Soil Erosion and Stormwater Management Article of this Development Code shall be submitted and approved prior to the issuance of a clearing and grubbing permit. All soil erosion control measures as shown and as approved must be in place and maintained at all times during the clearing and grubbing activities.
- (2) A permit for clearing and grubbing shall expire unless activities are commenced within 60 calendar days of issuance of the permit or if activities lapse and the project is abandoned for a period exceeding 30 calendar days.
- (3) The Director of Planning may approve one extension not to exceed 30 calendar days.
- (4) Said 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.
- (5) 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.

(d) **Grading permit.**

A grading only permit, which may include clearing and grubbing, shall not be issued prior to project approval of a preliminary plat for a subdivision or prior to approval of a site development plan for a multi-family or nonresidential development project. Issuance of a development permit authorizing only clearing, grubbing and grading shall require approval of a grading plan for the development, a soil erosion and sediment control plan, and a landscaping, buffers and tree conservation plan.

- (1) 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.
- (2) A permit authorizing grading shall expire unless activities are commenced with 60 days of issuance of the permit or if activities lapse and the project is abandoned for a period exceeding 30 calendar days.
- (3) The Director of Planning may approve one extension not to exceed 30 days. Said permit shall be limited in its authorization to land grading activities along with associated 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.

(e) **Process for approval of development permit.**

An application for a development permit for clearing and grubbing, grading or full development of a property may proceed simultaneously with an application for a preliminary subdivision plat or site development plan, but may not be issued prior to project approval of such plat or plan by the Planning Department.

- (1) General.

- a. The property owner, developer and designated planners and engineers shall review the general development plans and detailed plans of Camden County that affect the tract to be developed and the area surrounding it. They shall review this Development Code and other ordinances that regulate the development of land within the jurisdictional boundaries of Camden County. However, the operator is the only party who may obtain a permit.
 - b. An “operator” is defined as the party or parties that have operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or day-to-day operational control of those activities that are necessary to ensure compliance with a stormwater management plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the stormwater management plan or to comply with other permit conditions.
- (2) The application for a development permit shall be submitted to the Planning Department and must include the following:
- a. Application on the form furnished by the Planning Department, requesting review for issuance of a development permit, in a number of copies as required by the Planning Department.
 - b. Evidence that the applicant has complied with the “Notice of Intent” (NOI) requirements of the Georgia General Stormwater Permit for authorization under the National Pollution Discharge Elimination System (NDPES) to discharge storm water associated with construction activity (if applicable). A copy of the NOI form and a copy of the certified mail return receipt request card indicating receipt by the Georgia Environmental Protection Division must be included in an application for a development permit.
 - c. The following plans in a number of copies as required by the Planning Department:
 1. The preliminary plat or site development plan requesting or reflecting project approval by the Planning Department.
 2. The civil design and construction drawings prepared in conformance with the specifications and standards in Sec. 1232 of this Development Code.
 - d. Applicable fees, as follows:
 1. Payment of any County development permit fee, as established from time to time by the Board of Commissioners.
 2. In addition, fees will also be assessed pursuant to O.C.G.A. 12-5-23(5), and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity included in the planned development or each phase of development.
 - e. Certification.

All applications shall contain a certification stating that the erosion and sediment control plan preparer or the designee thereof visited the site prior to creation of the plan or that such a visit was not required in accordance with rules and regulations established by the Georgia Board of Natural Resources.
- (3) The application will be checked for completeness within 5 days of its submission. Incomplete applications will be returned to the applicant.
- (4) Upon acceptance of a development permit application, the Planning Department shall refer the soil erosion and sediment control plan to the Soil & Water Conservation District for its review and approval or disapproval concerning the adequacy of the erosion and sedimentation control plan.
- a. The Soil & Water Conservation District shall approve or disapprove the plan within 35 days of receipt. Failure of the District to act within 35 days shall be considered an approval of the pending plan. The results of the District review shall be forwarded to Camden County.

- b. No development permit will be issued unless the soil erosion and sediment control plan has been approved by the District, and any variances and bonding, if required, have been obtained.
- (5) The applicant may be required by the Planning Department to secure development approval from the Public Works Department and other agencies if they are affected by the development. Development approval may be required from but not limited to:
- a. Fire Marshal.
 - b. County Health Department.
 - c. Soil and Water Conservation District.
 - d. Georgia Department of Transportation.
 - e. Georgia Department of Natural Resources.
 - f. US Army Corps of Engineers.
 - g. US Environmental Protection Agency.
- (6) Upon receipt of comments from other departments and agencies, the Planning Department will indicate on a copy of the civil design and construction drawings or in writing all comments related to compliance with this Development Code, conditions of zoning approval, and other regulations or ordinances, as appropriate.
- (7) The Planning Department will forward its comments to the applicant.
- (8) The applicant will be responsible for compliance with all codes, regulations and zoning requirements and for the satisfaction of all of the comments received. The owner will also be responsible for obtaining approval from all other agencies affected by the project.
- (9) No development permit will be issued unless the applicant provides a statement by the County Tax Commissioner's office certifying that all ad valorem taxes levied against the property and due and owing have been paid.
- (f) **Required performance surety.**
- (1) Stormwater performance surety.
- Upon approval of the Stormwater Management Plan, but before the issuance of a building permit or development permit, the applicant shall be required to post a performance bond, cash escrow, irrevocable letter of credit or other acceptable form of performance security.
- a. The amount of the surety shall not be less than the total estimated construction cost of the facilities required by the Stormwater Management Plan.
 - b. The performance bond or other securities shall not be released until the following requirements have been met. The Director of Public Works shall:
 - 1. Perform a final inspection of the facilities and determine that they have been constructed in compliance with the Stormwater Management Plan.
 - 2. Determine that all provisions of the Stormwater Management Plan have been faithfully executed.
 - c. A provision may be made for partial release of the amount of the bond pro rata upon completion and acceptance of various stages of development as specifically delineated, described and scheduled in the Stormwater Management Plan. The applicant shall notify the Public Works Department upon completion of each stage that is ready for inspection.
- (2) Erosion and sedimentation performance surety.
- If the applicant has had two or more violations of previous development permits, this Development Code or the Georgia Erosion and Sedimentation Act of 1975, as amended, within three years prior to the date of filing of the

application under consideration, the Director of Planning shall refer the development permit application to the Board of Commissioners.

- a. The Board of Commissioners may deny the development permit application; or,
- b. The Board of Commissioners may require the applicant to post a performance bond in the form of government security, cash, irrevocable letter of credit or any combination thereof up to, but not exceeding, \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, prior to issuing the development permit. If the applicant does not comply with this Development Code or with the conditions of the development permit after issuance, the Board of Commissioners may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance.
- c. The Board of Commissioners may approve issuance of the development permit and waive or reduce any performance bond requirement after consideration of such factors as proof of financial ability of the developer or the record of performance of compliance by the developer since the last violation, or any other factors the Board of Commissioners considers relevant to the protection of the public from potential erosion or sedimentation violations.

(g) Exemptions to Land Disturbance Permits.

The disturbance of the land, including clearing, grubbing or grading activities, shall not commence or proceed except in accordance with the provisions of these regulations, unless the activity is either an agricultural activity or is for the construction of an individual single-family residence, or is otherwise exempt from the soil erosion and sedimentation control requirements of the Erosion Control and Stormwater Management Article of this Development Code.

(h) Issuance of development permit.

- (1) Following satisfaction of all comments, receipt of approvals from all affected agencies and receipt of all required bonds, the Planning Department shall issue a development permit authorizing development activities to begin based on the approved civil design and construction drawings.
- (2) Permits shall be issued or denied as soon as practicable but in any event not later than 45 days after receipt by the Planning Department of a complete application, providing variances and bonding are obtained where necessary.
- (3) No development permit shall be issued unless the erosion and sedimentation control plan has been approved by the Soil and Water Conservation District, project approval has been granted by the Planning Department, and the Planning Department has affirmatively determined that the plan is in compliance with all requirements of this Development Code, any stream buffer variances approved by the EPD Director have been obtained, bonding requirements, if necessary, as per Sec. 1233(f) are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of Camden County are met. If the development permit is denied, the reason for denial shall be furnished to the applicant.
- (4) If the tract is to be developed in phases, then a separate development permit shall be required for each phase.
- (5) The development permit may be suspended, revoked or modified, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this Development Code. A holder of a development permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan or the conditions contained in the development permit.
- (6) Development activities shall be limited to those authorized by the applicable permit and as may be further restricted by conditions of approval pertaining thereto by the Director of Planning or other department or agency as may have authority or jurisdiction over said activities in whole or in part.

(i) Expiration of development permit.

- (1) A development permit shall expire if the development activity described in the permit is not begun within 12 months from the date of issuance, or if such authorized activities lapse for a period exceeding 60 days.
- (2) Any development permit that has expired may be renewed once by the Planning Department within 6 months of expiration. Activity must commence within 3 months or the permit shall expire.
- (3) If a development permit has expired for more than 6 months, the applicant shall be required to apply for a new development permit under the development permit approval process of this Development Code.

Sec. 1234. Flood area permit.

(a) Flood area permit required.

If development or construction is proposed within or affecting an area of special flood hazard, approval of a flood area permit application shall be required. An application for a flood area permit may be included with and reviewed along with a development permit application.

(b) Application process for a flood area permit.

- (1) Application for a flood area permit shall be made to the Planning Department on forms furnished by them prior to any development activities.
- (2) The application for a flood area permit is to include the following:
 - a. Plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question.
 - b. Location of existing or proposed structures, fill, storage of materials and drainage facilities.
 - c. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings.
 - d. Elevation in relation to mean sea level to which any nonresidential building will be flood-proofed.
 - e. Design certificate from a registered professional engineer or architect that any nonresidential flood-proofed building will meet the flood-proofing criteria in the Flood Damage Prevention Section of the Erosion Control and Stormwater Management Article of this Development Code.
 - f. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
 - g. Construction stage:
 1. For all new construction and substantial improvements the permit holder shall provide to the Planning Director an as-built certification of the regulatory floor elevation or flood-proofing level immediately after the lowest floor or flood-proofing is completed. Any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood-proofing is utilized for nonresidential structures, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.
 2. Any work undertaken prior to submission of these certifications shall be at the permit holder's risk. The Planning Director shall review the above referenced certification data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being allowed to proceed. Failure to submit certification or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

Sec. 1235. Other development-related permits.

For other permits that may be required for a development project, including driveway permits and right-of-way encroachment permits, see Division 8 of this Article. For sign permits, see the Sign Regulations Article of this Development Code.

DIVISION 5. FINAL SUBDIVISION PLAT.**Sec. 1236. Final subdivision plat required.****(a) Final plat for major subdivision.**

- (1) Before a plat of a major subdivision is recorded with the Clerk of the Superior Court of Camden County and title to the lots thereon can be conveyed, a final plat showing the final design of the major subdivision shall be submitted to the Camden County Planning Department for review in a number of copies as required by the Planning Director. Until a final plat of a major subdivision has been submitted to and reviewed and approved by the Planning Director, the Clerk of the Superior Court of Camden County shall not record the plat of such major subdivision, nor shall the owner or agent of such major subdivision transfer title to any lot within the major subdivision by reference to the major subdivision plat, by deed or by metes and bounds description.
- (2) Major subdivisions shall comply with all requirements and provisions of this Division 5. Minor subdivisions shall comply with all applicable portions of this Division 5, specifically excluding requirements relating to the provision of public or community improvements that are not applicable to a minor subdivision.

(b) Final plat for minor subdivision.

- (1) Before a plat of a minor subdivision is recorded with the Clerk of the Superior Court of Camden County and title to the lots thereon can be conveyed, a final plat showing the final design of the minor subdivision shall be submitted to the Camden County Planning Department for review. Until a final plat of a minor subdivision has been submitted to and reviewed and approved by the Planning Director, the Clerk of the Superior Court of Camden County shall not record the plat of such minor subdivision nor shall the owner or agent of such a minor subdivision transfer title to any lot within the minor subdivision by reference to the minor subdivision plat, by deed or by metes and bounds description.
- (2) Minor subdivisions shall comply with all requirements and provisions of this Division 5 to the extent applicable to such subdivisions or as otherwise indicated within this Division.

Sec. 1237. Responsibility.

- (1) The Director of Planning shall be responsible for coordination of the approval process for all final subdivision plats.
- (2) The final subdivision plat shall be certified and sealed by a registered land surveyor.
- (3) The owner is responsible for compliance with all requirements of this Development Code. Approval of a final subdivision plat and acceptance of the public improvements and dedications therein shall not relieve the owner of this responsibility.

Sec. 1238. Provision of required improvements.**(a) Completion of improvements.**

- (1) Prior to submission of an application for final subdivision plat approval, either:
 - a. No public or community improvements were required; or
 - b. All required public and private "community" improvements shall have been properly installed and completed in accordance with the standards of this Development Code (other than traffic signs, street name signs, street striping, and signalization) and as-built surveys of the improvements shall have been approved by the Public Works Director as required in the Project Construction Section of the Project Design and Construction Article of this Code; or,

- c. A guarantee in lieu of completed improvements shall have been received by the Public Works Department as provided under Sec. 1242(b) of this Article.
- (b) **Acceptance of dedication offers.**
- (1) Acceptance of formal offers of dedication of streets, public areas, easements and parks shall be by resolution of the Board of Commissioners. The approval of a final subdivision plat shall not be deemed to constitute or imply the acceptance of any street, easement or park shown on said plat.
 - (2) All improvements dedicated to the county shall be free and clear of all liens and encumbrances on the property and public improvements thus dedicated.

Sec. 1239. Procedures for final plat approval.

(a) **Final subdivision plat application.**

(1) Contents of application.

An application for a final subdivision plat approval shall be made to the Planning Department. The application must include:

- a. The name and address of the person to whom the notice of approval will be sent.
 - b. A properly completed application form, as furnished by the Planning Department, requesting final subdivision plat review.
 - c. A number of copies, as established by the Planning Director, of the final subdivision plat drawing prepared in conformance with the specifications in this Section, the original of which shall be drawn or plotted in permanent ink on cloth or film.
 - d. The as-built surveys of the improvements as required in the Project Design and Construction Activities Article of this Code if the surveys have not been previously received and approved.
 - e. Payment of all applicable final subdivision plat filing and recording fees, as established by the Board of Commissioners from time to time.
 - f. Payment for materials and installation of traffic signs and street name signs. Payment of the cost of street striping or signalization, if required and not completed by the owner, shall also be included in the application.
 - g. Documents creating Homeowners Association, if applicable.
 - h. Executed deeds for the dedication of all street rights-of-way, easements and other public properties.
 - i. Proposed conservation easement documents, if applicable.
 - j. A maintenance surety providing adequate surety for the maintenance of all public improvements required by this Development Code, in accordance with the continuing maintenance provisions of Sec. 1242(a).
 - k. A performance bond or alternate improvement guarantee for the incomplete portions of improvements required under the Project Design and Construction Standards Article of this Development Code, in accordance with the provisions of Sec. 1242(b).
- (2) Review and approval of final plat.
- a. The Planning Department shall review the application for completeness within 5 working days of the submission. Incomplete applications will be returned to the applicant.
 - b. If the subdivision includes or abuts a U.S. or State numbered highway, unless all of the lots in the subdivision contain 5 acres or more and no new street is involved, review by the Georgia Department of Transportation (DOT) is required under O.C.G.A. 32-6-151. If the subdivision is a minor subdivision or otherwise

was not submitted for review as a preliminary plat, two additional copies of the final plat must be submitted to the Planning Department for forwarding to DOT. The owner or subdivider must respond to the recommendations of the DOT prior to final plat recording. If the written recommendations of the DOT are not made within 30 days of receipt of the plat by DOT, their approval shall be assumed as provided under State law.

- c. Within 2 weeks following receipt of a complete application for a major subdivision, or 5 days for a minor subdivision, the Planning Department shall indicate on the drawing or in writing all comments related to compliance with this Development Code. At the Planning Director's discretion, the final plat may be forwarded to the Planning Commission for review and recommendation. The Director of Planning shall have sole authority to determine the applicability of any provisions of this Development Code to the final plat.
 - d. The owner shall be responsible for compliance with all codes, regulations and zoning requirements, and for the satisfaction of all the noted and written comments of the Planning Department. Resubmission of all revised drawings shall be made to the Planning Department.
 - e. When all of the requirements of this Development Code and any conditions of zoning approval have been met, the Director of Planning shall sign and date the CERTIFICATE OF FINAL PLAT APPROVAL stamped or printed on a reproducible copy of the final subdivision plat.
- (3) Recordation of approved final plat.
- a. Once the final subdivision plat has been so certified, it shall be recorded by the Planning Department, or by the applicant with the Planning Director's approval, with the Clerk of the Superior Court.
 - b. The Director of Planning will forward the executed deeds for the streets, easements and dedication of other public properties, and the conservation easement, if applicable, to the Board of Commissioners for approval and recording.
 - c. Subsequent to the recording of the final plat, one copy on cloth or film and one additional copy with all certificates endorsed thereon shall be filed with the records of the Planning Department. The Map book, volume and page numbers where the plat is recorded shall also be indicated on the copies.

(b) **Revised final plat.**

- (1) Application for approval of final plat revisions.

The owner or developer of the subdivision shall file the survey of any proposed revision to a prerecorded plat with the Planning Director.

- a. Proposed revisions to a recorded plat that alter or change in any way the street, utility or drainage layout, or the overall size of the original subdivision, shall be submitted as a new final plat application, in accordance with the requirements and procedures of Sec. 1239(a). Revised construction drawings, as applicable to the proposed changes, shall accompany the application.
 - b. If the subdivision is still 100 percent owned by the developer, the Planning Director may administratively review and approve the revised final plat.
 - c. If any lots have been sold, the new lot owners must be informed of the changes, in writing, and their approval of the changes obtained by the developer and submitted to the Planning Director. If approval of all such owners is not obtained, the revised final plat shall be forwarded to the Board of Commissioners for a public hearing prior to approval of the plat and notice of said public hearing shall be sent by certified mail to all such owners at least 15 days prior to the public hearing.
 - d. If the proposed revisions are limited to the correction of errors on the original plat and have no substantive effect on any lot that has been sold in the subdivision, the Planning Director may administratively review and approve the revised final plat.
- (2) Consultation with Planning Department necessary.

When it becomes necessary to revise a recorded final plat due to some error, required adjustment or desired adjustment, the developer shall confer with the Planning Director to verify that such proposed revision will comply with the requirements of this Development Code.

(3) Preparation of revised plat.

If it is established that such a revision is feasible, the subdivider shall have such subdivider's engineer make the necessary corrections of that portion of the subdivision involved. The subdivision name, date and book and page number of the original recording shall be noted on the new plat. Revisions and a notation explaining the revisions shall also be shown on the revised plat. The revised plat application shall be filed with the Planning Director, including all applicable items required for a final subdivision plat application required under Sec. 1239(a)(1), above.

(4) Review, approval and recordation of revised final plat.

Review, approval and recordation of the revised final plat shall follow the procedures and provisions of Sec. 1239(a)(1)j and (a)(3), above.

Sec. 1240. Requirements for final plats.

(a) **General standards for final plats.**

- (1) The final subdivision plat shall be drawn on an appropriate material and sheet size, and using minimum line weights and letter heights as required by Georgia law for the recordation of maps and plats (O.C.G.A. 15-6-67), and as acceptable to the Clerk of the Superior Court.
- (2) Final subdivision plats must be at least 8½ inches by 11 inches in size to be recorded. The maximum sheet size is 18 inches by 24 inches to the sheet edge, with a maximum image area of 17 inches by 22 inches.
- (3) The final subdivision plat shall substantially conform to the preliminary subdivision plat and may constitute only that portion of the approved preliminary subdivision plat that the owner proposes to record at any one time, provided that such portion conforms to the requirements of this Development Code.

(b) **Final plat requirements.**

The final subdivision plat shall contain all caption information and plat data required by Georgia law pertaining to the recordation of maps or plats (O.C.G.A. 15-6-67), as well as the additional information required in this Subsection.

(1) Caption.

The maps or plats shall have a title or name, including the name of the subdivision, which shall be contained in the caption, and the caption shall also provide the following information:

- a. The county tax map and parcel number, and subdivision, if the property lies within a particular subdivision;
- b. The date of plat preparation;
- c. The scale, stated and shown graphically;
- d. The name, address, telephone number, and registration number of the land surveyor or the statement that he is the county surveyor and is not required by law to be a registered surveyor; and
- e. All reproductions of original maps or plats shall bear the original signature, in black ink, of the registrant placed across the registration seal in order to be a valid or recordable map or plat.

(2) Plat data.

Maps or plats shall be made in a professional manner and in accordance with the standards of good drafting procedures and shall show the following information, as specified:

- a. All maps or plats shall show the direction and distance from a point of reference to a point on the boundary of the individual survey, and such additional data as may be required to relocate the boundary point from the point of reference with the same degree of accuracy required of the parcel surveyed. The point of reference shall be an established, monumented position which can be identified or relocated from maps, plats, or other documents on public record;
- b. All maps or plats of boundary surveys or subdivision surveys shall show bearings of all lines of the boundary or lot lines, and distances of all boundary or lot lines, and area of the parcels expressed in acres or square feet;
- c. All maps or plats shall show the width and the former widths, if pertinent, of all rights-of-way adjacent to or crossing the property or adjacent to any point of reference;
- d. All maps or plats shall show easements and apparent encroachments, if pertinent;
- e. In the case of curved lines, the curve shall be defined by curve data to include the radius, arc length, chord bearing, and distance for regular curves. Chord distances and directions shall be given for irregular curves;
- f. All land lot lines, land district lines, land section lines, and city boundaries intersecting or adjacent to the surveyed property shall be indicated by lines drawn upon the map or plat with appropriate words and figures;
- g. All corner markers and markers of pertinent reference points shall be fully described and indicated as to their material or types and shall be constructed of a permanent material such as iron, steel, concrete, or stone, as required for survey monuments under the Project Design and Construction Standards Article of this Code;
- h. An arrow shall be shown on the map or plat to indicate the principal meridian, and a notation shall be made as to the reference of bearings to magnetic north, astronomic north, or grid north. A grid north reference shall indicate the zone;
- i. All linear distances shown on maps or plats shall be horizontal;
- j. All angular directions shown on maps or plats shall be represented in degrees and minutes. Where plats state or surveys require accuracy in excess of 1 in 5,000, the angular directions shall be represented in degrees, minutes and seconds. All angular directions shall be referenced to the principal meridian; and
- k. All maps or plats shall show the state plane coordinates of at least two permanent monuments thereon, when a National Geodetic Survey monument is within 500 feet of any point on the property mapped or platted, or any point of reference shown thereon.

(3) Additional data.

The following is to be shown on the final plat in addition to the caption information and plat data required by Georgia law:

- a. Street names including both the name and the suffix, such as "street," "avenue," etc.;
- b. Name of the former subdivision if any or all of the property has been previously subdivided;
- c. Location sketch;
- d. Lot lines with dimensions to the 1/100 (0.01) foot, necessary internal angles, arcs, and chords and tangent or radii of rounded corners;
- e. Building front setback lines with dimensions as to length across each lot and distance from the street right-of-way;
- f. Lots or sites numbered in numerical order and blocks lettered alphabetically;

- g. Location, dimensions and purpose of all easements, including natural resource easements and slope easements, if required, and any areas to be reserved, donated, or dedicated to public use;
 - h. The extent of any area of special flood hazard or wetlands, as defined in this Development Code; and
 - i. The street address number of each lot.
- (4) Curve data shall be required for all roadway centerline curves of greater than ten degrees on new roads. Centerline data including the radius, central angle, arc length, chord bearing and distance, and tangent distance between curves must be given for regular curves. Chord distances and directions shall be given for irregular curves on preexisting roads.

(c) **Surveyor and owner certificates.**

Each final subdivision plat shall carry the following certificates printed or stamped on the plat to read as shown on Figure 12.4. The original certificates on the reproducible copy of the final plat shall be signed and dated.

- (1) Surveyor’s Certificate, signed in blue ink on the original drawing.
- (2) Surveyor’s Seal. The reproducible final subdivision plat drawing shall bear the original signature, in black ink, of the registered land surveyor placed across the surveyor’s seal in order to be valid and recordable.
- (3) Owner’s Certificate, signed in blue ink on the original drawing.

Figure 12.4

SURVEYOR’S CERTIFICATE

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 thereon 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.

The following type of equipment was used to obtain the linear and angular measurements used in the preparation of this plat:

This plat has been calculated for closure and is found to be accurate within one foot in _____ feet.

By (name): _____

Registered Georgia Land Surveyor No. _____

Address: _____

Telephone Number: _____

Date: _____

OWNER’S CERTIFICATE

State of Georgia
County of Camden

The undersigned certifies that he or she is the fee simple absolute owner of the land shown on this plat and that the plat and the public improvements contained therein or associated therewith meet all applicable requirements and standards of the Camden County Unified Development Code.

Owner’s name: _____

Owner’s address: _____

_____ Date _____

(Owner’s signature)

(d) **Certification by health department.**

Certification by the Health Department shall be printed or stamped on the plat, as appropriate to the source of water supply and method of waste disposal approved. For lots not served by public or community sewerage or public or community water, the certification by the Health Department is to read as shown on Figure 12.5 and signed in blue ink on the original drawing. For developments with public or community sewerage and water systems, this certification may be omitted.

(e) **Statement of private covenants.**

A statement of the private covenants, if applicable and if they are brief enough to be put directly on the plat; otherwise, a statement as follows: "This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby becomes part of this plat."

Figure 12.5

For a subdivision with any lot 3 acres in size or smaller:

HEALTH DEPARTMENT CERTIFICATION

The lots shown have been reviewed by the Camden County Health Department and are approved for subdivision development except for those lots as noted. Each lot must be reviewed and approved for on-site sewage management system placement prior to the issuance of a building permit.

Dated this ____ Day of _____ 20____.

By _____

Title _____

For a subdivision with all lots larger than 3 acres in size:

HEALTH DEPARTMENT CERTIFICATION

The lots shown have been reviewed by the Camden County Health Department and are approved for subdivision development except for those lots as noted. Each lot must be reviewed and approved for on-site sewage management system placement prior to the issuance of a building permit. A Level III soil report from an approved soil scientist is required at the time of permit application.

Dated this ____ Day of _____ 20____.

By _____

(f) **Certificate of final subdivision plat approval.**

The certificate of final plat approval shall be stamped or printed on the final subdivision plat for execution upon its approval by the Director of Planning. Appropriate certificates for different types of subdivisions are shown in Figure 12.6.

(g) **Creation of homeowners association.**

If required by provisions of this Development Code, a homeowners association shall be created and the instruments of such creation and financial endowment shall be recorded at the time of final plat recording. A copy of the recorded instruments shall be filed with the Planning Department.

(h) **Acceptance of public improvements.**

- (1) If construction of any required public improvements was deferred at the time of final plat approval, said work must be completed within 9 months.
- (2) The developer shall maintain the improvements in the development during the maintenance period, which shall begin upon recordation of the final subdivision plat or upon completion of all deferred improvements, whichever occurs later.
- (3) Prior to expiration of the maintenance period, a final acceptance inspection of the public or community improvements shall be conducted by the Public Works Department and the Fire Marshal, as appropriate.
- (4) The owner must correct all defects or deficiencies in materials or workmanship and make such repairs as necessary to approximate the as-built condition of the improvements.
- (5) Upon certification by the Public Works Director and the Fire Marshal that the public and community improvements depicted on the as-built surveys are in conformance with the specifications of this Development Code and are in good repair, the Board of Commissioners shall release the maintenance bond and accept the public improvements into perpetual maintenance.

Sec. 1241. Digital submission requirements: as-built data and final plats.

(a) **Submission fees.**

Figure 12.6

For Minor Subdivisions:

**CERTIFICATE OF FINAL PLAT APPROVAL
FOR RECORDATION**

All requirements of the Camden County Unified Development Code having been represented as being fulfilled by this plat, the undersigned acting under authority of the Board of Commissioners of Camden County, Georgia, hereby approves this plat for recordation by the Clerk of the Superior Court.

_____ Date _____
(Signature, Director of Planning)

For Major Subdivisions:

**CERTIFICATE OF FINAL PLAT APPROVAL
FOR RECORDATION**

All requirements of the Camden County Unified Development Code having been represented as being fulfilled by this plat [and the related as-built surveys approved on (date)], the undersigned acting under authority of the Board of Commissioners of Camden County, Georgia, hereby approves this plat for recordation by the Clerk of the Superior Court [along with the accompanying deeds of dedication of all streets, easements and other public areas and improvements shown thereon], subject to maintenance and guarantee by the owner for two years from the date of this approval.

This approval recognizes the receipt of appropriate surety by the Board of Commissioners of Camden County in the amount of \$_____ to assure the completion of all required but uncompleted public improvements appurtenant to this subdivision.

_____ Date _____
(Signature, Director of Planning)

As-built data and final plats submitted to the county shall be assessed an administrative fee based on the format of submission.

- (1) Plans submitted in hardcopy format only will be assessed an administrative data entry fee on a per-parcel basis that will be set by the county yearly.
- (2) Plans submitted in hardcopy and digital format (as described in Sec. 1241(b)), but not projected as required by Sec. 1241(b)(4), will be assessed an administrative data entry fee on a per-parcel basis that will be 10% of the determined rate for hardcopy only submission.
- (3) Plans submitted in hardcopy and projected digital format meeting all requirements of Sec. 1241(b) shall have administrative fees waived for their submission.

(b) **Digital submissions.**

In addition to the requirements of this Development Code for the submission of printed copies, as-built data drawings and all final plats approved for recordation shall be submitted to the Planning Director in a digital format as follows:

- (1) Digital drawing files shall be submitted in AutoCAD version 13 or higher DWG or DXF format and shall include:
 - a. Final plat as approved.
 - b. Model space drawing of the engineering plans, reflecting any changes approved by the county.
- (2) The DXF or DWG file shall have data divided into separate layers with distinct names that reference the content clearly or provide a digital index spreadsheet in a Microsoft Excel compatible format that lists layer names and describes their contents. A digital index spreadsheet in a Microsoft Excel compatible format must also be provided of the pipe chart. Standardized layer names and definitions are to be used as approved by the Public Works Department.
- (3) Lines must be geometrically continuous and boundaries must be closed. The digital version of the map must be of such precision that it can be easily converted to a GIS format of continuous lines, closed polygons, point data and text.
- (4) The projection shall be in Georgia State Plane Coordinate System in feet using North American Datum 1983 (NAD 1983). These coordinates must be established within sub-meter accuracy.
- (5) An Adobe compatible PDF file of the drawing that will plot to scale must be submitted.
- (6) Such additional information or requirements as may be established by the Public Works Director or Camden County GIS Administrator necessary to convert the DXF or DWG file to ArcGIS format.

Sec. 1242. Assurance for maintenance and completion of improvements.

(a) **Maintenance surety.**

- (1) Prior to approval of a final subdivision plat, or issuance of a certificate of occupancy for a multi-family or nonresidential development project, a maintenance surety, in a form as described in this Section below, is required for all public improvements shown on the as-built surveys. The owner shall be responsible for maintenance for a period of 1 year for water and sanitary sewer system improvements, and for a period of 2 years for streets, drainage and all other improvements. The start of the maintenance period shall be:
 - a. For a multi-family or nonresidential development project, the date of issuance of the certificate of occupancy; or
 - b. For a subdivision, the date of final subdivision plat approval or upon completion of all deferred improvements, whichever occurs later.

- (2) The value of the maintenance surety shall be equal to 33 percent of the actual cost of construction of the public improvements shown on the as-built surveys. Copies of contractor agreements or actual invoices paid, or as otherwise determined by the Public Works Director shall evidence the cost of construction.
 - (3) Repairs shall be made for any deficiencies identified within the bonding period of the bonds or the bonds shall be called to complete same.
 - (4) The maintenance surety shall be in the form of a valid irrevocable letter of credit issued by a bank or savings and loan association, as defined in O.C.G.A. 7-1-4.
 - (5) A maintenance surety for the water system improvements and the sanitary sewer facilities may be required separately by the authority having jurisdiction, in accordance with their regulations. For both the water system and sewer system improvements, the contractor employed by the developer shall be responsible for maintenance of all water and sewer mains and appurtenances for one year from the date of approval of the certificate of development conformance by correcting all defects or deficiencies in materials or workmanship.
 - (6) In cases where the maintenance surety is to cover a second phase or any other later stage of a development project governed by this article, said sureties shall be required to be extended in amount and application to cover the original phase of the project in addition to said later phase for the same period of application as set out in this Code if the later phase will utilize the same entrance-street as that used by the original phase of the project.
 - (7) The maintenance surety shall include the estimated cost for maintenance of the drainage and detention pond facilities during the 2-year maintenance period. Maintenance shall include repair of erosion controls, removal of silt from detention ponds and other items pertinent to the drainage system for each development.
- (b) **Performance guarantee.**
- (1) Posting performance guarantee.
 - a. The applicant may post a performance guarantee at the time of application for final subdivision approval for the construction of incomplete portions of improvements required under this Development Code. The performance guarantee shall also secure all lot improvements on the individual lots of the subdivisions as required in these regulations.
 - b. Such performance guarantee shall comply with all statutory requirements and shall be satisfactory to the county attorney as to form, sufficiency and manner of execution. The period within which required improvements must be completed shall be specified by the Board of Commissioners in the resolution approving acceptance of the guarantee and shall not exceed nine months from the date of final plat approval.
 - c. The expiration date of the performance guarantee shall be no less than 60 days following the date established in the performance guarantee for completion of the improvements. "Completion of the improvements" shall mean the final inspection and approval by the Public Works Director of the improvements in accordance with the design and construction standards of this Development Code, and certification by the developer or surety agent that all monies due to third parties have been paid (or if not becomes the responsibility of the developer or surety agent) and that the improvements are free and clear of any liens or encumbrances.
 - d. Such guarantee shall be approved by the Board of Commissioners as to amount and surety and conditions satisfactory to the Board of Commissioners. The Public Works Director may subsequently, upon proof of difficulty, recommend to the Board of Commissioners extension of the completion date set forth in such guarantee for a maximum period of up to one additional year.
 - (2) Cost of improvements.
 - a. The cost of the improvements to be completed shall be established by the Public Works Director based on a properly executed and binding contract between the developer and the contractor selected to perform

the work, and shall be supported by detailed cost estimates prepared by the contractor or a qualified design professional. Said contract and cost estimates shall be provided to the Public Works Director and deemed to be sufficient to cover the full cost of design, surveying, construction, inspection, preparation of as-built surveys, construction management and all other costs of the improvements.

- b. All required improvements shall be made by the applicant, at his expense, without reimbursement by the County or any improvement district therein.

(3) Governmental units.

Governmental units to which these guarantees and contract provisions apply may file in lieu of said performance guarantee a certified resolution or ordinance from officers or agencies authorized to act on their behalf, agreeing to comply with the provisions of this Section.

(4) Restrictions pending completion of improvements.

- a. In accordance with the requirements of Sec. 1244(1), no building permit shall be issued on any lot until continuous paved road access to the lot from the county road system has been established in accordance with the Access provisions of the Project Design and Construction Standards Article of this Development Code. "Established" means having received final inspection and approval by the Public Works Director of the road in accordance with the design and construction standards of this Development Code, and certification by the developer or surety agent that all monies due to third parties have been paid (or if not becomes the responsibility of the developer or surety agent) and that the improvements are free and clear of any liens or encumbrances.
- b. For subdivisions and development projects that are staged in multiple phases, each phase must have continuous paved road access from the county road system to the boundary of the phase in accordance with the Access provisions of the Project Design and Construction Standards Article of this Development Code. No phase can be approved for final plat recordation if its access depends on improvements that have not been completed in an earlier phase.

(5) Failure to complete improvement.

In those cases where a performance guarantee has been posted and required improvements have either not been installed within the terms of such performance guarantee or have not progressed in a timely manner such that completion within the time period of the guarantee can be achieved, the Board of Commissioners may thereupon declare the guarantee to be in default and require that all the improvements be installed regardless of the extent of the construction of said improvements at the time the guarantee is declared in default.

(6) Return of guarantee.

When the improvements have been completed, and inspected and approved by the responsible County department for conformity with this Development Code, and certification by the developer or surety agent has been received by the Public Works Director that all monies due to third parties have been paid (or if not becomes the responsibility of the developer or surety agent) and that the improvements are free and clear of any liens or encumbrances, the performance guarantee shall be released by the Public Works Director and returned to the applicant.

(7) Types of acceptable performance guarantees.

- a. Letter of credit.

The developer shall provide an irrevocable letter of credit from a bank or other reputable institution chartered to do business in the State of Georgia and located in Camden County, for approval by the Board of Commissioners. This letter shall be deposited with the Board of Commissioners and shall certify the following:

1. That the creditor guarantees funds in an amount equal to 125% of the cost, as estimated by the Public Works Director under Sec. 1242(b)(2)a and approved by the Board of Commissioners, of completing all required improvements.

2. That the creditor guarantees that any liens or encumbrances that exist or may be placed on the improvements will not become the responsibility of the County under any circumstances.
 3. That if the developer fails to complete the specified improvements within the required period, upon written demand of the Public Works Director the creditor will pay to the County immediately, and without further action, the full amount of the limit of credit stated in the letter of credit, less the actual cost of covered improvements expended as of the date of demand. Such expenditures shall be evidenced by invoices and proof of payments and shall be subject to review and acceptance by the County as to reasonableness.
 4. That this letter of credit may not be withdrawn, or reduced in amount, and will be automatically renewable until released by the authorized agent of the Board of Commissioners.
- b. Alternate improvement guarantees.

If a developer prefers not to post an irrevocable letter of credit, the Board of Commissioners may require the developer to use one of the following improvement guarantee techniques:

1. Performance or surety bond.

A performance or surety bond must be provided by a construction bonding or insurance company authorized to do business in the State of Georgia with offices located in Camden County, and approved by the Board of Commissioners. This bond shall be filed with the Board of Commissioners and shall certify the following:

- i. That the bonding or insurance company guarantees funds in an amount equal to 150% of the cost, as estimated by the Public Works Director under Sec. 1242(b)(2)a and approved by the Board of Commissioners, of completing all required improvements.
- ii. That the bonding or insurance company guarantees that any liens or encumbrances that exist or may be placed on the improvements will not become the responsibility of the County under any circumstances.
- iii. That if the developer fails to complete the specified improvements within the required period, upon written demand of the Public Works Director the bonding or insurance company will pay to the County immediately, and without further action, the full amount of the limit of insurance stated in the bond, less the actual cost of covered improvements expended as of the date of demand. Such expenditures shall be evidenced by invoices and proof of payments and shall be subject to review and acceptance by the County as to reasonableness.
- iv. That the bond may not be withdrawn, or reduced in amount, and will be automatically renewable until released by the authorized agent of the Board of Commissioners.

2. Escrow account.

The developer shall deposit cash (or collateral readily convertible to cash at face value), either with the Board of Commissioners or in escrow with a bank chartered to do business in the State of Georgia and located in Camden County. The amount of the deposit shall be equal to 125% of the cost, as estimated by the Public Works Director under Sec. 1242(b)(2)a and approved by the Board of Commissioners, of completing all required improvements. The use of collateral other than cash and the selection of the bank with which funds are to be deposited are subject to the approval of the Board of Commissioners. Where an escrow account is to be imposed, the developer shall file with the Board of Commissioners his agreement with the bank guaranteeing the following:

- i. That the funds in the escrow account are to be held in trust until released by the authorized agent of the Board of Commissioners and may not be used or pledged by the developer as security for any other obligation during that period.

- ii. That any liens or encumbrances that exist or may be placed on the improvements will not be assessed against the escrow account or become the responsibility of the County under any circumstances.
- iii. That the funds on deposit may be expended from the account as work progresses, based on invoices subject to prior review and approval by the County as to reasonableness.
- iv. In case the developer fails to complete the required improvements, the bank shall, upon written demand of the Public Works Director, immediately make the funds remaining in escrow available to the County for the completion of the improvements.

3. Property escrow.

The developer may offer as a guarantee land or other property, including corporate stocks or bonds, in an amount equal to 200% of the cost, as estimated by the Public Works Director under Sec. 1242(b)(2)a and approved by the Board of Commissioners, of completing all required improvements. A qualified real estate appraiser shall establish the value of any real property so used and, in so doing, shall take into account the possibility of a decline or rise in the value of the property during the guarantee period. The Board of Commissioners reserves the right to reject the use as collateral of any property when the value of the property is unstable, when the property may be difficult to sell, or when other factors exist which will inhibit the Board of Commissioners from exchanging the property at its claimed value. When property is offered as an improvement guarantee, the developer shall:

- i. Execute an agreement with the escrow agent when it is not the County, instructing the agent to release the property to the County in the case of default. The agreement shall be placed on file with the Clerk of the Superior Court.
- ii. File with the Board of Commissioners an affidavit affirming that the property to be used as a guarantee is free and clear of any encumbrances or liens at the time it is put into escrow.
- iii. Provide that any liens or encumbrances that may be placed on the improvements in the future will not be assessed against the escrow account or become the responsibility of the County under any circumstances.
- iv. Execute and file with the Board of Commissioners an agreement stating that the property to be placed in escrow as an improvement guarantee will not be used for any other purpose, or pledged as a security in any other matter, until it is released by the authorized agent of the Board of Commissioners.

4. Other methods.

Any other method of sufficient financial commitment equal or superior to the requirements of this Section that may be acceptable to the Board of Commissioners.

DIVISION 6. BUILDING AND TEMPORARY USE PERMITS.

Sec. 1243. Temporary use permit.

The Planning Director is authorized to issue temporary permits for the following uses in a zoning district where the use is otherwise allowed, subject to the applicable conditions for each individual temporary use and provided it is determined such use will cause no traffic congestion, and will not adversely affect surrounding areas. See Article 2 of this Development Code for zoning districts in which temporary uses are allowed.

- (1) Carnival or circus, in approved open areas, for a period not to exceed three weeks and subject to approval by the county commission.

- (2) Emergency housing after destruction of a home, which may include a manufactured home or modular unit. Such emergency housing shall be removed when the need for such temporary housing no longer exists.
- (3) Religious meeting in a tent or other temporary structure, in an approved open area, for a period not to exceed 40 days.
- (4) Open lot sale of seasonal items, such as pumpkins and Christmas trees, for a period not to exceed 45 days.
- (5) Temporary housing while a home is under construction, which may include a manufactured home or modular unit. Such temporary housing shall be removed within 30 days of issuance of a Certificate of Occupancy for the new home.
- (6) Temporary contractor's office and real estate sales office for a development while under construction, for a period of 12 months, provided that such office is placed on the property to which it is appurtenant.
- (7) Other temporary uses approved by the Planning Director or the county commission.

Sec. 1244. Building permit; when required.

- (1) A building permit issued by the Building Official is required in advance of the initiation of construction, erection, moving or alteration of any building or structure in accordance with the provisions of the building code. No building permit shall be issued and no building shall be erected on any lot in the county unless access has been established in accordance with this Development Code. No building permits shall be issued before approval of the final plat. All structures shall comply with the requirements of this Development Code, whether or not a building permit is required.
- (2) Public utilities.
 - a. No public utility may furnish temporary electrical, water or gas connection for construction purposes unless the contractor has been issued a permit by the Building Official.
 - b. No public utility may furnish permanent electrical, water or gas connections until the contractor has been issued a certificate of occupancy by the Building Official.
 - c. No public utility may furnish power to a mobile home site until the owner has been issued either a building permit or a certificate of occupancy by the Building Official.
- (3) Water supply and sewage disposal facilities.
 - a. Building permits will not be issued until plans for on-site water supply and sewage disposal have been approved by the Camden County Health Department.
 - b. Certificates of occupancy will not be issued until the completed on-site water supply and sewage disposal facilities have been approved by the Camden County Health Department.

Sec. 1245. Procedures to obtain a building permit.**(a) Procedure for approval.**

The Building Official is responsible for administering and enforcing the building codes of the County.

- (1) Prior to issuance of a building permit the owner shall have received a development permit if required by this Development Code.
- (2) Zoning verification shall be obtained from the Planning Department. The following shall be attached to or included within the Zoning Verification Application:
 - a. A street address number as shown on the final plat or as assigned by the County; the tax map and parcel number, verified by tax office; and a plat, location sketch map or other graphic indication of the location of the lot.

- b. For a single-family detached or two-family dwelling, a building site development plan drawn to scale on a boundary survey of the site shall be submitted with the application, showing the following:
 1. Identity, address and phone number of the owner of the lot, the applicant for the building permit, and the person responsible for all construction and land-disturbing activities on the property;
 2. Lot dimensions with property line monuments located thereon, minimum principal building setback lines, the lot width measured at the minimum front setback line, and the lot frontage measured along the street right-of-way line;
 3. Shape, size, height and location of the structure(s) proposed to be erected, demolished, altered or moved, and of any buildings already on the lot;
 4. The use of structures, including the number of dwelling units and minimum floor area within each structure;
 5. Easements (public and private) including natural resource or conservation easements established under the requirements of the Environmental Protection Article of this Code;
 6. Watercourses, stream buffers and the limits of the 100-year flood plain, and wetlands;
 7. Erosion control and tree protection measures proposed to be placed and maintained on the property;
 8. Street names and street right-of-way lines; and
 9. Other information regarding abutting property that directly affects the application;
- c. For a multi-family or nonresidential building, the preliminary site development plan upon which was granted project approval by the Planning Department under Division 3.

(b) Application for a building permit.

An application for a building permit shall be made to the Building Official. The application shall include:

- (1) Application on the form furnished by the Building Official, requesting issuance of a building permit.
- (2) A copy of the approved zoning verification or an application for zoning verification.
- (3) Building plans.

[Ed. note: The minimum design wind speed was maintained at 120 mph/3 sec. gust by Board Resolution on December 10, 2013; see also Sec. 1247 for a link to the current Adopted GA Construction Codes that must be met.]

- a. The following applies to any principal single-family detached, two-family residential structure, agricultural or residential accessory building:
 1. **Certified Plans.** Building plans certified by the preparer of the plans that they comply in all respects to the codes and requirements of Camden County will be reviewed expeditiously, and the building permit will be issued or corrections will be requested within 3 business days. The certification shall read as follows and be personally signed in the original (and sealed, if applicable) by the certifying professional: *[Amended December 9, 2014]*

I certify that these building plans were prepared by me or under my supervision, or were prepared by others and reviewed by me, and that these building plans comply with all applicable Camden County regulations and Georgia adopted building codes as of this date, the 1st day of January, 2009. *[Amended December 9, 2014]*
 2. **Stock or Non-Certified Plans.** Building plans that are not certified by the preparer of the plans that they comply in all respects with the codes and requirements of Camden County will be reviewed

thoroughly, and the building permit will be issued or corrections requested within 7 business days.
[Amended December 9, 2014]

3. Templates. Certified plans may be submitted to the County and kept on file to serve as a template for issuance of building permits for all similar single-family detached or two-family residential structures. Subsequent building permits will be issued with reference to the template plans, and one reproduced set of prints of the template plans shall be available on the construction site for all building inspections.
 - b. For principal multi-family buildings, and nonresidential buildings, architectural plans prepared in conformance with this Development Code and the applicable building codes must be submitted to the County. Plans shall be prepared by or under the supervision of an architect or qualified engineer registered in the State of Georgia, who shall sign and seal each sheet in the original set of drawings as applicable. Architectural plans must comply with the requirements of Sec. 1245(c). *[Amended December 9, 2014]*
- (4) County Health Department approval if an individual water supply or on-site sewage disposal system is required.
- (5) Payment of the building permit application and review fee.
- (6) Water meter receipt issued by the applicable public water jurisdiction, if applicable.
- (7) For applications to move a house, structure or building from one property to another, the following additional information is required:
 - a. The name of the person performing the moving;
 - b. The origin and destination of the moving;
 - c. The names of the owners of the property from which the house is removed and of the property to which it is moved;
 - d. A detailed outline of the route to be followed and the equipment to be used; and
 - e. An estimate of the time involved, including the time of the day when said operation shall be conducted.
 - f. Any application for a permit must be made at least 48 hours prior to the proposed moving.
 - g. In addition to a fee charged for permits, the mover of any house, building or structure shall deposit with the Planning Department \$400.00 for each house, to be returned to the mover within 5 days after such moving if no damage is done to public property.
 - h. The County Sheriff's Department shall furnish a police escort if he deems it necessary, at the expense of the mover.

(c) **Architectural plan requirements.**

Architectural plans must be designed to meet the 120 mph wind gust and be in compliance with the latest edition of the International Building Code. The following information must also be shown on these plans:

- (1) Foundation/slab detail.
 - a. Depth of footer in relationship to grade.
 - b. Width and height of footer.
 - c. Size, number and placement of rebar.
 - d. Size and placement of reinforcing wire or mesh.
 - e. Type, strength and slump of concrete to be used.
- (2) Bottom plate connectors or anchors to slab detail.
 - a. Type and size of sill.

- b. Type of connectors and spacing.
- (3) Exterior bearing wall detail.
 - a. Wood-species, grade, spacing and size.
 - b. Top plate spaces.
 - c. Type and size of connectors, if used.
- (4) Window and door headers, exterior walls, detail.
 - a. Length, lumber size, grade and species.
 - b. Show number of jacks and studs per header.
 - c. Show connectors, top and bottom (header to jack or jack to plate)
- (5) Sheeting and shear wall detail.
 - a. Location of all shear walls or shear segments.
 - b. Type, grade and thickness of sheeting.
 - c. Type nails or staples and spacing to fasten sheeting.
 - d. Show connectors or straps that may be needed in addition to sheeting.
- (6) Roof truss detail.

This design may be provided by the truss manufacturer but the drawings must be stamped by a licensed professional Georgia engineer.

- a. Material type, grade, length and size, including species.
 - b. Truss or rafter layout.
 - c. Pitch, span and overhang.
 - d. Show wind speed design, uplift and lateral load.
 - e. Blocking, bracing and connectors required, as well as type.
 - (7) Roof sheeting detail.
 - a. Type, grade and thickness of sheeting.
 - b. Nail or staple size, type and spacing.
 - c. Blocking, if required.
 - (8) Ceiling detail if used as diaphragm.
 - a. Type, size and thickness of sheetrock or other material.
 - b. Type, size and spacing of nails or screws.
 - (9) Miscellaneous.
 - a. Elevations, show at least two elevations.
- (d) **Issuance of building permit.**
- (1) The application will be checked by the Building Official for completeness within 5 working days of receipt. Incomplete applications will be returned to the applicant.

- (2) Within 2 weeks following receipt of a complete application, the Building Official shall indicate on the architectural plans approval or disapproval and attest to same by his signature. One copy shall be returned to the applicant and the original copy shall be retained by the Building Official.
 - (3) The owner shall be responsible for compliance with this Development Code and all building code requirements, regulations, and for the satisfaction of all of the comments of the Building Official.
 - (4) At such time as the owner has addressed the comments to the satisfaction of the Building Official and the State Fire Marshal (if required), a building permit will be issued for the structure.
 - (5) Plumbing, electrical and mechanical permits shall be issued separately by the Building Official or separately identified on the building permit. Such permits must be issued prior to commencement of work by each affected trade.
 - (6) Building permits shall only be valid for a period of 180 days. One or more extensions may be requested by the owner of the property on which the construction is occurring, not to exceed 180 days each time. Extensions shall be requested in writing and justifiable cause demonstrated.
- (e) **Standards for approval.**
- (1) Building permits shall be issued only on buildable lots of record, as defined in this Development Code.
 - (2) Building permits shall be issued in conformance with the adopted technical codes and supplements that constitute the County's building code. Conformance to this Development Code is also required as a prerequisite to issuance of a building permit.

Sec. 1246. Certificate of occupancy.

It is unlawful to use or occupy or permit the use or occupancy of any part of a building, structure or premises, until a certificate of occupancy has been issued stating that the building or structure or premises conforms to the requirements of the building codes and this Development Code.

- (a) **Issuance of certificate of occupancy.**
- (1) Upon completion of any work for which a building permit has been granted, application shall be made to the Planning Director for a certificate of occupancy.
 - (2) Within three business days of application, the Building Official shall make a final inspection of the property and shall issue the certificate of occupancy if the work conforms to the necessary regulations.
 - (3) If the certificate of occupancy is refused, the Planning Director must state such refusal, in writing, with the cause.
- (b) **Requirements for certification of occupancy prior to provision of permanent electric and water service.**
- (1) Utilities.

It shall be unlawful for any electric or water utility company, cooperative or individual to connect, provide or furnish service to any manufactured home, movable home, new building or proposed building site until a certificate of occupancy has been received from the planning department of Camden County and given to the utility company, cooperative or individual.

- (2) Compliance for certificate of occupancy.

In order to receive a certificate of occupancy from the planning department of Camden County, the following must be complied with:

- a. No permit to locate or relocate a manufactured home or movable home, construct a new building, residence or facility of any kind, or repair the same shall be issued without first having applied for and obtained from the planning department of Camden County a zoning and FEMA zone permit. A copy of this

permit must be taken to the health department when applying for a septic tank permit, and this permit must also be taken and presented to the person who will be issuing the building permit for Camden County.

- b. No permit to locate or relocate a manufactured home or movable home, construct a new building, residence or facility of any kind, or repair the same shall be issued without first having applied for and obtained from the Camden County Health Department a certification of the existing on-site sewage disposal system, a construction permit to install an approved type individual sewage disposal system or approval for proposed connection to a central sewer facility, as applicable, and present a copy of the construction permit to the official who issues the building permits for Camden County.
- c. No permit to locate or relocate a manufactured home or movable home, construct a new building, residence or facility of any kind, or repair the same, shall be issued without first having applied for and obtained from the Camden County Health Department a certification of the existing on-site water supply system, a construction permit to install an approved individual water supply or approval for proposed connection to a public water system, as applicable, and presented a copy of the construction permit to the official who issues the building permits for Camden County.
- d. When both individual water supply and individual sewage disposal systems have been certified or installed, and approved by the Camden County Health Department, a certificate of approval shall be given to the building and zoning official of Camden County.
- e. When the certificate of approval for the water and sewage disposal systems have been received along with the approval of the electrical and plumbing systems, the planning department of Camden County shall issue a certificate of occupancy, provided that all other applicable requirements have been met, and so notify such utility company, cooperative or individual.
- f. In the case of manufactured homes, a zoning approval and FEMA zone permit must first be received. After the zoning and FEMA approval is received, a septic tank location permit is applied for from the county health department. These two permits are needed before applying for a building permit. After the building permit is issued, a tax location sticker must be obtained from the tax commissioner's office. This tax location sticker along with the building permit sticker must be fixed to the manufactured home before calling for final inspection.
- g. No final inspection will be given to a structure until it is fitted with address numbers and address post if needed.

Sec. 1247. Building construction codes.

[Amended March 2, 2010]

The latest edition(s) of the Construction Codes Currently in Effect as adopted and amended from time to time by the state department of community affairs, pursuant to chapter 2 of Title 8 of The Official Code of Georgia, including all appendices thereof adopted by the state department of community affairs, shall be enforced by the county. *[Amended March 17, 2015]* *[Editors Note: see the attached link for latest editions of the current State Construction Codes:*

<http://www.dca.ga.gov/development/constructioncodes/programs/codes2.asp>

DIVISION 7. TELECOMMUNICATIONS PERMITS.

Sec. 1248. Administrative approvals.

(a) **General.**

- (1) The Planning Director may administratively approve the placement of additional antenna(s) upon towers or alternative tower structures as set forth in Sec. 1248(c).

- (2) Each applicant requesting an administrative approval under this Division shall submit a scaled site plan, scaled elevation view and supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals or qualified industry experts, showing the location and dimensions of all improvements, including topography (utilizing minimum two foot contour intervals), tower height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses and zoning, and other information deemed by the department to be necessary to assess compliance with this Division and compatibility with surrounding uses.
- (3) The Planning Director shall respond to each application within 30 days of its receipt by either approving or denying the application. One 30-day extension of this review period may be exercised by the Planning Director if such additional time is deemed necessary to adequately assess the request. If the Planning Director fails to respond to the applicant within the maximum of 60 days, the applicant shall be deemed approved.
- (4) As part of any administrative approval, the Planning Director may administratively reduce setback requirements by up to ten percent to compensate for irregularly shaped lots or parcels.
- (5) If a request for administrative approval is denied, the applicant may appeal the decision in accordance with the provisions for the appeal of an administrative decision in Article 13 of this Development Code if it is asserted that the denial was the result of misinterpretation or error by the Planning Director. Alternately, if the applicant asserts that the denial creates a hardship, the appeal shall be taken in accordance with the provisions for a hardship variance in Article 13 of this Development Code. In such an instance, the Board of Commissioners may authorize such variances from the terms of the telecommunications regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the regulations will, in an individual case, result in unnecessary hardship, so that the spirit of the regulations shall be observed, public safety and welfare secured, and substantial justice done. Such variances may be granted in such individual cases of unnecessary hardship upon a finding by the Board of Commissioners that the denial of the variance presents a significant detriment to the telecommunications service provider making application, and that the denial of the variance is insubstantially related to the public welfare.

(b) **Co-location of antennas required.**

Applicants for the erection of an antenna, except amateur radio operators, shall be required to co-locate upon an existing tower structure. An exception to co-location shall only be made if the applicant adequately demonstrates that an existing tower suitable for co-location does not exist in the geographic antenna placement area utilizing the tower inventory maintained by the Planning Department, and that no suitable alternative tower structure is available.

(c) **Uses allowed by administrative approval.**

The following uses may be approved by the Planning Director after conducting an administrative review:

- (1) Installation of an antenna on any alternative tower structure (such as a building, sign, light pole, water tower, or other freestanding nonresidential structure), and further including the placement of additional buildings or other supporting equipment used in connection with said antenna, so long as such addition does not add more than 20 feet to the height of the existing structure; subject to the applicable zoning district restrictions.
- (2) Installation of an antenna on a pre-existing tower of any height, and further including the placement of additional buildings or other supporting equipment used in connection with said antenna, so long as the addition of said antenna adds no more than 20 feet to the height of said pre-existing tower.

Sec. 1249. Tall structure approval required.

(a) **General.**

If the proposed location, height, setback or other aspect of a tower or antenna cannot comply with the minimum requirements established in Sec. 1248, administrative approvals, of this Code, then a tall structure approval shall be required for the construction of a tower or the placement of an antenna in any permitted zoning district.

The tower proposal shall also meet all purposes, intent, established guidelines, and goals as stated in requirements of UDC Article 3 Division 1 Telecommunications Sections 325 through Sec. 331. [Amended September 24, 2014]

A request for a tall structure approval shall be taken as a request for approval of a Special Use under the procedures and provisions of Division 1 of this Article. The following provisions shall also govern the approval of a tall structure for telecommunications and personal wireless service towers and antennas.

- (1) In granting a tall structure approval, the Board of Commissioners may impose conditions to the extent that it concludes such conditions are necessary to minimize adverse effects from the proposed tower on adjoining or nearby properties.
- (2) All information of an engineering nature that the applicant submits, whether civil, structural, mechanical or electrical, shall be certified by a licensed Georgia professional engineer. However, amateur radio antennas shall meet the requirements of Sec. 1242(b), Building Permits and Construction, of this Code.

(b) **Application; contents, fee.**

All applications for a tall structure approval shall be submitted to the Planning Director. Each application shall contain as a part thereof detailed plans and specifications as set forth in Sec. 1249(c). An application for a tall structure approval shall not be accepted for processing without the information required in this Division. An application fee shall be charged in an amount stated in the schedule of fees adopted by the Board of Commissioners from time to time.

(c) **Exhibits required.**

Each application requesting a tall structure approval under this Division shall submit a scaled site plan (no less than 1 inch = 100 feet) scaled elevation views and supporting drawings, calculations, and other documentation, signed and sealed by appropriate Georgia licensed professionals or qualified industry experts (where applicable), showing the location and dimensions of all improvements, including topography (utilizing a minimum of two-foot contour intervals), tower height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses and zoning, and other information deemed by the Planning Director to be necessary to assess compliance with this Division and compatibility with surrounding uses.

(d) **Co-location of antennas required.**

Applicants for the erection of a tower or antenna, except amateur radio operators, shall be required to co-locate upon an existing tower structure. An exception to co-location shall only be made if the applicant adequately demonstrates that an existing tower suitable for co-location does not exist in the geographic antenna placement area utilizing the tower inventory maintained by the Planning Department, and that no suitable alternative tower structure is available.

(e) **Public hearings.**

The publication of notice and the public hearings of the Planning Commission and the Board of Commissioners shall follow all provisions of Division 1 of this Article.

(f) **Considerations in approval or denial of a tall structure.**

Any denial of a request to place, construct or modify a telecommunications facility shall be in writing and supported by substantial evidence contained in a written report. In addition to the standards for consideration of a Special Use contained in Sec. 1213(a)(15) of this Development Code, the Planning Commission and the Board of Commissioners shall consider the following factors in acting upon a tall structure application under the provisions of this Section:

- (1) The height and setbacks of the proposed tower;
- (2) The proximity of the tower to residential structures and residential district boundaries;
- (3) The nature of uses on adjacent and nearby properties;
- (4) The surrounding topography;
- (5) The surrounding tree coverage and foliage;

- (6) The design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- (7) The proposed ingress and egress;
- (8) The availability of suitable existing towers or other structures for antenna co-location; and
- (9) The impact of the proposed tower upon the scenic views and visual quality of the surrounding area.

DIVISION 8. OTHER PERMITS

Sec. 1250. Driveway permit.

(a) Driveway permit; when required.

- (1) No driveway connecting to a public street or a public right-of-way or public property shall be repaired or installed without first having approval from the Public Works Department. If the driveway connects to a State or U.S. numbered highway, approval of the Georgia Dept. of Transportation shall be required prior to County approval.
- (2) Applications shall be made to the Public Works Department for review and approval.

(b) Driveway permit; expiration.

A permit shall expire for work not started within 90 days or completed within 6 months after issuance of a permit, and a new permit shall be required before beginning or completing the work.

Sec. 1251. Right-of-way encroachment permit.

(a) Right-of-way encroachment permit; when required.

- (1) Any utility work, encroachments into a public right-of-way or easement (other than mail boxes meeting the requirements of this Development Code), pavement cuts and associated road or lane closures must be reviewed, approved and permitted by the Director of Public Works.
- (2) Applications may be made to the Director of Public Works.

(b) Right-of-way encroachment permit; expiration.

A right-of-way encroachment permit shall expire for work not started within 90 days or completed within 6 months after issuance of a permit, and a new permit shall be required before beginning or completing the work.

Sec. 1252. Sign permit.

See the Sign Regulations Article of this Development Code regarding the issuance of sign permits.

Sec. 1253. Adult Entertainment Establishment Permit.

(a) Application for an adult entertainment establishment permit.

- (1) Any person desiring to obtain a permit to operate, engage in, conduct or carry on any adult entertainment establishment shall make application to the County Manager. Prior to submitting such application, a nonrefundable fee in the amount as set forth in the schedule of fees and charges on file in the office of the County Clerk shall be paid to the County Manager to defray, in part, the cost of investigation and report required by this article. The County Manager shall issue a receipt, or a copy shall be supplied to the County Manager at the time such application is submitted.

- (2) The application for permit does not authorize the engaging in, operation of, conduct of or carrying on of any adult entertainment establishment.
- (b) **Application contents.**
- (1) Each application for an adult entertainment establishment permit shall contain the following information:
- a. The full true name and any other names used by the applicant;
 - b. The present address and telephone number of the applicant;
 - c. The previous addresses of the applicant, if any, for a period of five years immediately prior to the date of the application and the dates of residence at each;
 - d. If a person, acceptable written proof that the applicant is at least 21 years of age;
 - e. If a person, the applicant's height, weight, color of eyes and hair, and date and place of birth;
 - f. If a person, two photographs of the applicant at least two inches by two inches taken within the preceding six months;
 - g. Business, occupation or employment history of the applicant for the five years immediately preceding the date of application; business or employment records of the applicant, partners in a partnership, directors and officers of a corporation and, if a corporation, all shareholders holding more than five percent of the shares of corporate stock outstanding;
 - h. The business license history of the applicant and whether such applicant, in previous operations in this county or any other city, state or territory under license, has had such license or permit for an adult entertainment business or similar type of business revoked or suspended, the reason for revocation or suspension, and the business activity or occupation subsequent to such action of suspension or revocation;
 - i. All convictions, including ordinance violations, stating the dates and places of any such convictions and the disposition of such violations;
 - j. Identification of the applicant as to its legal identity, as follows:
 1. If the applicant is a corporation, the name of the corporation, set forth exactly as shown in its articles of incorporation or charter, together with the place and date of incorporation, and the names and addresses of each of its current officers and directors, and each stockholder holding more than five percent of the stock in the corporation;
 2. If the applicant is a partnership, the names, residence addresses and dates of birth of the partners, including limited partners;
 3. If the applicant is a limited partnership, a copy of its certificate of limited partnership filed with the clerk of the county superior court;
 4. If one or more of the partners is a corporation, the provisions of the subsection pertinent to corporations shall apply, and the applicant corporation or partnership shall designate one of its officers or general partners to act as its responsible managing officer, who shall complete and sign all application forms of an individual applicant under this section; but only one application fee shall be charged; if the applicant is a Georgia corporation, it shall attach to the application certified copy of its articles of incorporation, together with all amendments to such articles and its most recent annual report; if the applicant is a foreign corporation, it shall attach a certified copy of its certificate of authority to transact business in the state, together with all amendments and its most recent annual report; if the applicant does or proposes to do business under a trade name, it shall attach a copy of the recorded trade name registration document to the application;
 - k. The names and addresses of the owner and lessor of the real property upon which the business is to be conducted and a copy of the lease or rental agreement;

- l. Such other identification and information as the Sheriff's Office may require in order to discover the truth of the matters specified as required to be set forth in the application;
 - m. The age and date of birth of the applicant, of any partners, or of any and all officers, of any stockholders of more than five percent of the shares of the corporation stock outstanding, directors of the applicant if the applicant is a corporation;
 - n. If the applicant, any partners or any of the officers or stockholders holding more than five percent of the shares of the corporation stock outstanding, or the directors of the applicant if the applicant is a corporation, have ever been convicted of any crime constituting a felony, or any crime not a felony involving moral turpitude in the past five years and, if so, a complete description of any such crime, including the date of violation, date of conviction, jurisdiction and any disposition, including any fine or sentence imposed and whether terms of disposition have been fully completed;
 - o. Individual applicants' fingerprints;
 - p. At least three character references from individuals who are in no way related to the applicant or individual shareholders, officers or directors of a corporation and who are not or will not benefit financially in any way from the application if the license or permit is granted and who have not been convicted of any felony or crime or ordinance violation involving moral turpitude in the past five years; the County Manager shall prepare forms consistent with the provisions of this subsection for the applicant, who shall submit all character references on such forms;
 - q. Address of the premises to be licensed;
 - r. Whether the premises are owned or rented and, if the applicant has a right to legal possession of the premises, copies of those documents giving such legal right;
 - s. A plat by a registered engineer, licensed by the state, showing the location of the proposed premises in relation to the neighborhood, the surrounding zoning, its proximity to any church, school, public park, governmental building or site or other business regulated under this article;
 - t. An interior floor plan drawing showing the location of all interior walls and/or partitions, stages, platforms and/or dance floors; and
 - u. The written consent of the registered agent as required by this Code regarding the registration of such agents.
- (2) Each application for an adult entertainment establishment permit shall be verified and acknowledged under oath to be true and correct by:
- a. If the applicant is an individual, the individual;
 - b. If by a partnership, the manager or general partner;
 - c. If a corporation, the president of the corporation; and
 - d. If any other organization or association, the chief administrative official.

(c) **Applicant to appear.**

The applicant, if an individual, or designated responsible managing officer if a partnership or corporation, shall personally appear at the Board of Commissioners' office and produce proof that a nonrefundable application fee has been paid and shall present the application containing the information required in this Section.

(d) **Investigation of application.**

The county shall have 45 days to investigate the application and the background of the applicant for a permit required by this Section. Upon completion of the investigation, the Board of Commissioners may grant the permit if it finds:

- (1) The required fee has been paid;

- (2) The application conforms in all respects to the provisions of this article;
 - (3) The applicant has not knowingly made a material misrepresentation in the application;
 - (4) The applicant has fully cooperated in the investigation of his application;
 - (5) The applicant, if an individual, or any of the stockholders of the corporation, any officer or directors, if the applicant is a corporation, or any of the partners, including limited partners, if the applicant is a partnership, has not been convicted in a court of competent jurisdiction of an offense involving conduct or convicted of an attempt to commit any offense under this article or convicted in any state of any offense which, if committed or attempted in this state, would have been punishable as one or more of such offenses, or any crime involving dishonesty, fraud, deceit or moral turpitude;
 - (6) The applicant has not had an adult entertainment establishment permit or other similar license or permit denied or revoked for cause by this county or any other governmental entity located in or out of this state prior to the date of application;
 - (7) The building, structure, equipment or location of such business as proposed by the applicant would comply with requirements contained in this Code regarding the location, building and signage restrictions for adult entertainment establishments, and with all applicable laws, including but not limited to health, zoning, distance, fire and safety requirements and standards as evidenced by inspection reports prepared by county building official and state fire marshal's representatives;
 - (8) The applicant is at least 21 years of age;
 - (9) That the proposed premises complies with the distance requirements and limitations contained in this Development Code and is not located too close to any church, school, library, governmental building or site of any other business restricted under this Section;
 - (10) That the grant of such permit will not cause a violation of this Development Code or any other ordinance or regulation of the state, the county or the United States; and
 - (11) Any other inquiry deemed necessary or desirable by the county to ensure the health, safety and welfare of the citizens of the county or the preservation of its neighborhoods.
- (e) **Persons prohibited as permittees.**
- (1) No permit provided for by this article shall be issued to or held by:
 - a. An applicant who has not paid all required fees and taxes for a business at that location or property taxes;
 - b. Any person who is not of good moral character;
 - c. Any corporation, any of whose officers, directors or stockholders holding over five percent of the outstanding issued shares of capital stock are not of good moral character;
 - d. Any partnership or association, any of whose officers or members holding more than five percent interest therein are not of good moral character; or
 - e. Any applicant who is not qualified to hold and conduct business according to the laws of the United States, the state or the county.
 - (2) Should there be a sufficient number of current permits to meet the needs and desires of the inhabitants of the county, no new permits shall be issued. In determining the needs and desires of the inhabitants, the standard of review shall be that the market is virtually unrestrained as defined in *Young v. American Mini Theaters, Inc.*, 427 U.S. 50,81.
- (f) **Refusal; appeal.**
- If the county staff, following investigation of the applicant, deems that the applicant does not fulfill the requirements as set forth in this article, it shall notify the County Manager of such opinion and, within 45 days of the date of the applica-

tion, provide copies of the investigation report to the County Manager. The County Manager shall, within ten days, notify the applicant by certified mail of such denial. Any applicant who is denied may appeal such denial to the Board of Commissioners.

Sec. 1254. Public gatherings permit.

(a) Application for a public gatherings permit.

Within no less than 20 days prior to an event, the person or persons associated in fact, whether or not a legally recognized entity, who wish to conduct such event shall apply to the county for a permit and to the County Health Department. Such application to the county shall at a minimum include:

- (1) The name and address of the applicant. If the applicant is an association of persons in fact or in law, the application shall contain a description of the entity; the name of said entity, if names; the registered or recognized address of the entity, if any; the name of the person making the application on behalf of said entity; such person's relationship to said entity; and some demonstration or recitation of the authority of the person making the application to act on behalf of the entity.
- (2) A plan for review by the county, which plan will include:
 - a. The anticipated number of persons participating in the event;
 - b. The date or dates of the event;
 - c. The hours of each day the event will be conducted;
 - d. The exact location of said event, or, if the event is processional or mobile, the route of the event;
 - e. Whether sound amplification equipment will be employed;
 - f. Whether artificial lighting will be employed;
 - g. Whether temporary static structures will be constructed or employed, whether vehicles will be employed, and if so, a description of same sufficient to permit Camden County to evaluate the permitting factors set out hereinafter;
 - h. A description of provisions necessary to the safety and welfare of the participants in the event and members of the public in the area where the event will be conducted and routes of access thereto and therefrom; and
 - i. Whether the event will require that the public spaces or facilities to be used or burdened, or the routes and means of access thereto and therefrom, be temporarily diverted from their dedicated or customary uses, or the public or private users thereof be diverted or excluded from or limited in their use or enjoyment of, or their access to or through, said spaces or facilities, before, during, or after the event.
- (3) A disclosure as to whether the applicant or entity for whom the application is being made has in the past conducted or participated in an event of a substantially similar nature to that which is the subject of the instant application, and, if so, where and when such prior event(s) took place, and whether as a result of such event(s) the applicant or entity became the subject, whether or not then operating under the same name, as plaintiff or defendant, of any legal action, civil, criminal, or administrative.
- (4) A disclosure as to whether the applicant or entity for whom the application is being made has defaulted upon or is in arrears as to any judgment civil, criminal, or administrative rendered against the applicant or entity, or is in violation of any injunction or restraining order entered against the applicant, or entity, whether or not then operating under the same name, as a result of participation in any prior event(s) or a substantially similar nature to that which is the subject of the instant application, and if so, a description of said judgment or order and an explanation for noncompliance.
- (5) An indemnification and hold harmless agreement in favor of Camden County, its elected officials, officers, agents and employees, in a form satisfactory to the attorney for the county.

If, as a direct consequence of exigent, unanticipated, or other circumstances beyond the control of the applicant, applicant is unable to file an application not less than 20 days before an event, nothing herein shall be construed as precluding the filing of an application at a later time, but in such case the time limits for review by the county, and for review and appeal in the case of a denial of a permit, shall remain the same.

Where an event conducted on, over, upon, or burdening public properties, or employing the facilities thereon, which is also to substantially involve or take place partly or wholly upon private property with the consent of the owner(s) thereof, such owner(s) or their authorized representatives must join as an applicant for any permit for such event.

(b) Review by Camden County.

Within seven working days of receipt of an application, the County Manager shall review the application in light of all of the contents thereof and the goals, intentions, and presumption of this Section as set out hereinbefore, and render a decision and communicate same to applicant, either permitting the event as planned or denying a permit for same. If the permit is denied, the County Manager shall provide the applicant in writing a statement of the reasons therefore. (First class mail to the address provided by applicant, postmarked no more than seven working days after receipt of the application, shall be sufficient for this purpose, though not the exclusive means of notice.)

Nothing in this process shall prevent the County Manager, at his/her sole option and within the seven-day period for approval or denial, to confer with applicant with respect to modifications of applicant's plan for the event, and amend the application to reflect such modifications if agreed to by applicant. However, applicant may neither supplement nor amend its application within said seven-day period except at the invitation of the county. Any attempt to do so *sua sponte* shall be deemed a separate and new application.

The County Manager may deny the application for permit upon any of the following reasons or combination of reasons:

- (1) The application does not contain all required information, or that information set out is so incomplete, vague, or ambiguous as to prevent full and proper review by the county;
- (2) The application contains material omissions, falsehoods, or misrepresentations;
- (3) The applicant or entity represented by applicant is incompetent to contract, sue, or be sued;
- (4) The person applying lacks authority to represent the entity for which the application is made;
- (5) The applicant or entity represented by applicant has on prior occasions damaged public property, or has not paid in full for such damages, or is in arrears as to any judgment civil, criminal, or administrative rendered against the applicant or entity, or is in violation of any injunction or restraining order entered against the applicant or entity, whether under the same name(s) or another;
- (6) The applicant or entity represented by applicant has on prior occasions violated permitting ordinances in connection with events of a substantially similar nature;
- (7) The plan of the event as proposed would present an unreasonable danger to the health or safety of participants in the event or other member of the public (though not through the agency of any predicted reaction by onlookers or members of the public);
- (8) The plan of the event as proposed would unduly restrict and/or congest traffic (vehicular or pedestrian) on any of the public road, rights-of-way, sidewalks, or waterways in the immediate vicinity of such event;
- (9) The plan of the event as proposed would constitute an unreasonable disturbance of the peace, or would unreasonably burden lawful commerce in the area at the time of the proposed event, or would unreasonably intrude upon the privacy or property of citizens in the area of the proposed event (though not through the agency of any predicted reaction by onlookers or members of the public); and
- (10) The plan of the event as proposed includes activities that are prohibited by laws of the United States, the State of Georgia, or ordinances of the city, county, or other lawful body or activities which constitute nuisance or tortious conduct with respect to public or private property or persons.

It is the specific intent of the county in enacting this Code to regulate only the time, place and manner of events and not to regulate the content or message of any speech or expressive conduct. The factors enumerated above, which the county finds express and support the substantial and compelling interest of this governing body in the preservation of the rights and liberties of its citizens and the safety, health, and good order of its society, are the only bases upon which the County Manager shall decide to issue or deny a permit applied for hereunder, and no such decision shall be made or justified based upon the anticipated or predicted content of the speech or expressive conduct of any applicant.

(c) **Revocation.**

Notwithstanding the grant of any permit as provided herein, law enforcement authorities shall have the authority to terminate an event at any time, or prevent its initiation, should traffic, weather, or other conditions develop which present an imminent and undue danger to those participating in the event pursuant to said permit, to the public at large, or should any consideration or combination of considerations enumerated herein as a ground for denial of a permit arise or first become apparent to law enforcement authorities after the grant of a permit. If in preparation for or after the start of an event for which a permit has been issued, participants in said event violate the terms of the permit or deviate in material fashion from the plan submitted in application for the permit, law enforcement authorities shall have the authority to terminate the event.

(d) **Administrative review by Camden County.**

Upon receipt of any decision by the County Manager denying an application, the applicant may within five working days file an appeal of said denial with the Board of Commissioners of Camden County, which appeal shall be in writing and be sent to the county by certified mail or hand delivery. Upon the receipt of any such appeal the County Manager shall notify the attorney for the county, who shall promptly (but in case no later than seven calendar days after receipt of the appeal) seek review of the denial of the application in a called meeting of the Board of Commissioners of Camden County. The County Manager shall have the burden of demonstrating the validity of the denial of the permit as applied for by the applicant. If no appeal is filed by the applicant, there shall be no duty on the part of the county to seek judicial review of the decision of the County Manager. Nothing contained herein shall preclude the applicant from seeking judicial review of a denial of a permit in a court of competent jurisdiction at any time after notification of the decision on the application.

Sec. 1255. Developments of regional impact.

(a) **Types of approvals covered.**

The provisions of this Section apply to any type of governmental action requested by a private party related to a development project, such as a land use plan amendment, rezoning or special use approval, special exception variance or hardship variance approval, project approval of a subdivision or site development plan, issuance of a development permit or building permit, or hook-up to a public utility.

(b) **Thresholds for regional review.**

Any development project for which any governmental action is requested that meets or exceeds any of the development thresholds adopted by the Georgia Department of Community Affairs (DCA) shall be considered a Development of Regional Impact (DRI).

(c) **Process for DRI review.**

(1) Submission to the regional development center.

a. First request for project approval.

1. Upon determination by the Planning Director that an application qualifies for DRI review, the applicant shall provide such information as necessary for the DRI review on forms available from DCA.
2. The DRI review forms prepared by the applicant shall be submitted by the Director of Planning to the Coastal Regional Commission (CRC).

3. Once the CRC has accepted the DRI forms as complete, the 30-day review period officially begins.
 4. Throughout the DRI process, the applicant shall coordinate with the Planning Department and the CRC and provide such additional information as may be needed to complete the DRI evaluation.
- b. Subsequent requests for project approval.

Once the development project has been reviewed by the CRC and the first governmental action has been granted, no further reviews by the CRC of subsequent governmental actions need to be reviewed by the CRC unless the project is revised by an increase of 10% or more in the applicable threshold factor.

(2) Final Action by the County.

Approval of the first request for governmental action by the County shall not be made on a Development of Regional Impact until:

- a. Any inter-jurisdictional conflicts related to the DRI have been brought to a conclusion; and
- b. A report has been received from the RDC reflecting its public findings and comments, if any; or
- c. Said report is not received within 30 days of official determination by the RDC that the DRI application is complete.

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