ARTICLE 6
DEVELOPMENT PERMIT

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Sec. 601. Requirement to obtain a development permit.

Unless specifically exempted by this article, a development permit shall be required to be issued to authorize all activities, including but not limited to, clearing and grubbing, grading, the construction of such improvements as streets, surface parking areas and driveways, utilities, storm water drainage facilities, and structures permanently placed on or in the property.

Sec. 602. Exemption from development permit.

A development permit shall not be required for any of the following activities:

(a) **Government activities.** Work authorized by or conducted pursuant to the requirements or directives of local, state, and federal departments, agencies and authorities, including but not limited to any project carried out under the technical supervision of the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture, including any public water system reservoir. Also specifically exempted are construction or maintenance projects, or both, undertaken or financed in whole or in part, or both, by the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority, and any road construction or maintenance project, or both, undertaken by any county or municipality.

(b) **Public utility projects.** Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power. Also exempt are land-

disturbing activities necessary for the operation and maintenance (but not the initial installation) of a utility within a utility easement.

(c) **Emergency work.** Emergency work authorized by the zoning administrator, where a bona fide emergency exists as determined by the zoning administrator.

(d) **Surface mining.** Activity within a surface mine that has received approval and surface mining permit by the state department of natural resources, environmental protection division.

(e) **Timber and forestry.** Timber harvesting and forestry activities, otherwise compliant with applicable state and local law.

(f) **Agriculture,.** Agricultural activities, which may involve the erection of buildings or structures not exceeding a total of 1,000 square feet. Buildings or structures exceeding 1,000 square feet in the aggregate are not exempt.

(g) **Dwelling.** Land disturbance and development activities associated with the construction of a single, detached, single-family dwelling unit or manufactured home (where permitted), including accessory structures and uses, if a building permit has been issued.

(h) **Residential driveway.** The installation of a driveway for a dwelling unit or manufactured home, provided the driveway has been authorized via a building permit for the dwelling or manufactured home, or a separate driveway permit has been obtained.

(i) **County road right of way.** Development within a county road right of way (other than work within a county road right of way associated with approved development plans) but only if a driveway permit or utility encroachment permit has been issued by the county with jurisdiction or permission otherwise has been granted.

(j) **Prior permits.** Any subdivision or other land development activity for which a development permit or its equivalent approval was issued and that has lawfully commenced prior to the adoption of this ordinance.

(k) **Minor activities.** Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences, and other related activities which result in minor soil erosion, and any land disturbance or grading that is less than 1 acre in area and not within 200 feet of a perennial stream.

(l) **Corrective actions.** Activities required by the zoning administrator pursuant to stop work order, citation, or pursuant to some other code enforcement action initiated by the city.

(m) **Impervious surface.** The addition of 5,000 square feet or less of impervious surface.

(n) **Demolition.** Demolition and removal of a building or structure, provided that a demolition permit is issued by the zoning administrator.

(o) **Other.** Other minor land disturbing or development activities where, in the opinion of the zoning administrator, such activities will result in no greater impact on land and water than the impact the other exemptions specified in this section will have on land and water.

The zoning administrator is authorized to prepare administrative forms and to provide evidence, upon application and for a fee if authorized, that a proposed action is exempted from the requirement to obtain a development permit.

Sec. 603. Pre-application.

An applicant for a development permit is strongly encouraged to schedule a pre-application meeting with the zoning administrator, which may also be attended by other review agencies as appropriate. Where other agencies are not represented at the pre-application meeting, a development permit applicant is encouraged to seek advance comments from internal and external agencies with jurisdiction over the development proposal. A fee may be required to schedule a pre-application conference with the zoning administrator.

Sec. 604. Application for development permit.

An application for a development permit shall include the following, as applicable; completed applications shall be submitted to the zoning administrator. Incomplete applications will not be processed.

(a) **Application form.** An application form with information specified by the zoning administrator. Said application form may include but is not limited to name of applicant and contact information, owner and contact information, name of project with location information, proposed source of water service and sewer or septic tank, the name of the professional designer, and the proposed use of the development. The application must be authorized by the property owner.

(b) **Development name.** The name of each development project must have the approval of the zoning administrator. The name shall not duplicate nor closely approximate the name of an existing subdivision or development project in Franklin, Hart or Madison County (whichever has jurisdiction) or any of its cities.

(c) **Address.** Provide an address for the site, if already assigned. Obtain the address from the Franklin, Hart or Madison County (whichever has jurisdiction) E-911 department.

(d) **Fees.** Payment of any development permit fee, and any associated fees, as established from time to time by the Royston City Council.

(e) **Plan sets and electronic file.** All development plans for a project shall be submitted in hard copy (a number of sets specified by the zoning administrator) and digital form (.pdf file). The zoning administrator shall determine the number of plan sets to submit based

on the nature and scope of review but which shall be four (4) sets unless specifically indicated otherwise. Plan sets will contain sheets for the following, as applicable:

1. **Plat.** A copy of the approved recorded plat of the subject property, demonstrating that the property to be developed is a lot of record or part of a lot of record. If land subdivision is proposed or implied in the development proposal, a proposed subdivision plat may be required to be submitted with the development permit application, or the process of subdivision may be deferred until a later stage of the development process.

2. **Site plan.** A site plan, including at minimum the project location, total project area natural features of the site and proposed development features as required by this ordinance, including easements.

3. **Phases.** Proposed phasing of the development, if it is proposed to be built in phases or sections.

4. **Grading and storm drainage plan.** Grading plans and provisions for adequate detention or retention of stormwater shall be provided as required and specified by this ordinance.

5. **Soil erosion plans.** The applicant shall include soil erosion plans if required by the Royston Soil Erosion and Sedimentation Control Ordinance (see Chapter 38 of the Royston Code of Ordinances) or best management practices of state law; submission requirements may in some instances require the posting of a land disturbance bond. The process of issuing a land disturbance permit, if required per city code, will be coordinated with the submission and review and approval of a development permit if required by this article.

6. **Utilities plan.** Plans for water, sanitary sewer, and other utilities as may be required by the zoning administrator and utility provider.

7. **Street improvement plan.** If the subdivision or land development proposes new streets, whether public or private, or if this ordinance requires improvement of a city street or county road abutting the subdivision or land development, the development permit application shall include information demonstrating compliance with the requirements of this ordinance for the improvement of abutting county roads and city streets.

8. **Other agency approvals.** The owner shall be responsible for obtaining approval from all other agencies affected by the project. All agency approvals that are required for the use of the land and structures and for the location and operation of businesses and industries shall be obtained by the applicant and transmitted to the zoning administrator prior to issuance of a development permit, including but not limited to the following (the city is not responsible for delays in approval of development plans when a development permit applicant is required to be approved by an external

agency but the applicant has not obtained approval from that external agency with jurisdiction over the development proposal):

(a) **Health department.** Approval or permit from the Franklin, Hart or Madison County (whichever has jurisdiction) Health Department for on-site sewage management system or community water system, as applicable;

(b) **Georgia Department of Transportation.** Approval or permit from the Georgia Department of Transportation for access onto a state route if applicable.

(c) **Georgia Environmental Protection Division.** Copy of application for Notice of Intent (NOI) electronically filed, if required, and proof of payment of applicable fees to state including NPDES fees.

(d) **Utility provider.** Approval or permit and receipt of payment for any water or sanitary sewer connection fees applicable for the project.

9. **Other.** Other information as may be specified by the zoning administrator, as may be necessary to review the development plan and ensure compliance with this ordinance and the Royston Zoning Ordinance.

Sec. 605. Development plan specifications.

Development plans shall contain the following (on one or more sheets), unless otherwise approved by the zoning administrator:

(a) **Scale.** Plans shall be clearly and legibly drawn at an engineering scale convenient to illustrate the details of the project; provided, however, the zoning administrator may accept a development plan that is not to scale if it adequately represents the nature of the development proposal. Sheet size shall not exceed 36 inches by 42 inches. Plan and profile sheets, if any, shall have a horizontal scale of no less than 1 inch to 100 feet and a vertical scale of no less than 1 inch to 10 feet. The zoning administrator may approve deviations from these required scales when appropriate.

(b) **Project boundary.** Plans shall be based on the boundaries of a lot as shown on a recorded plat, or if not yet subdivided and recorded, on a boundary survey delineating the entirety of the property contained within the project. Boundary lines of the perimeter of the tract shall be indicated by a heavy line giving lengths to the nearest one-hundredth of a foot and bearings to the nearest second.

(c) **Adjoining property information.** Provide all adjoining property owners, subdivision names, lot numbers, lot lines, and block letters, and zoning districts for adjoining properties.

(d) **Project name and phase.** The name of the project shall be indicated. If the project is located within a subdivision, the name of the subdivision, lot, and block number must

also be shown. If the development project is part of a phased development or master-planned development, identify the unit number, division, phase, or stage of development.

(e) **Zoning and prior approvals.** The existing zoning district and if applicable overlay district of the project site, and reference if applicable to conditions of zoning, variance, conditional use, or other permissions including case numbers and dates of approval.

(f) **Owner and developer.** Name, address, telephone number, and e-mail address of the owner of record, and of the developer (if not the owner).

(g) **Professional contacts.** Name, address, and telephone number of each professional firm associated with the site development plans (engineer, landscape architect, etc.). Specifically include the 24-hour contact.

(h) **Map requisites.** Date of survey, north point, and graphic scale, source of datum, date of plan drawing, and space for revision dates.

(i) **Use.** Proposed use of the site, including gross square footage for each different use type or building.

(j) **Location references.** Location, district, land lot(s) and parcel(s) acreage or area in square feet.

(k) **Location sketch.** A location sketch locating the development in relation to the surrounding area with regard to well-known landmarks such as major thoroughfares, railroads, and rivers 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 quadrangle maps may be used as a reference guide for the location sketch.

(l) **Buildings, access, and parking.** Size, location, and elevation of all proposed buildings and existing buildings to remain or to be demolished, and minimum required building setback lines, the location parking and loading areas, driveways, curb cuts and where required designated fire lanes. Each building shall be identified with a number or letter.

(m) **Topography and grading.** Existing contour lines based on sea level datum shall be drawn at intervals of not more than two (2) feet and shall include the entire site and all abutting public streets. Contour lines shall be based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic contour shown shall be specified and dated. Grading plans shall show proposed contours. Grading shall be performed in accordance with the lines and grades indicated on the approved grading plan.

(n) **Natural features within the proposed development.** These include drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses the direction of flow shall be indicated. The 100-year floodplain shall be

delineated and the source of the depicted floodplain information shall be indicated (i.e., reference to map panel numbers and dates). The acreage or area in square feet within the floodplain shall be indicated. See Article VI of Chapter 38 of the Royston Code of Ordinances for additional requirements when development is proposed to be located in a floodplain or flood hazard area.

(o) **Man-made features.** These include those features existing within and adjacent to the proposed development including existing right-of-way width and pavement widths of adjoining streets, street names, the location and dimensions of existing bridges, easements (all purposes), culverts and other drainage facilities, water, sewer, and other existing utility lines and structures, the names of jurisdiction lines; existing structures on the site and their disposition, and other appropriate built-environment information.

(p) **Trees, buffers, landscaping.** If buffers or other landscaping or screening treatments are required, show the location, size, and type (natural or planted) on the plans conforming to the requirements of this ordinance and the Royston zoning ordinance, as applicable.

(q) **Utilities and other easements.** Easements for water and sanitary sewer as may be required by the utility provider with jurisdiction.

(r) **Standard drawings.** The zoning administrator may require that the development plans include standard drawings adopted by the city or the county, or a standard drawing of any utility provider with jurisdiction over the development project. Where no standard drawing is available but is needed as determined by the zoning administrator , the applicant's engineer or designer shall provide any such standard drawing requested.

(s) **Signature blocks.** The zoning administrator may require signature blocks with pertinent information to be signed by the owner/developer, the plan preparer, a utility provider, an external agency, and approval block for signature by the zoning administrator.

(t) **Additional information.** Other information as may be specified by the zoning administrator, as may be necessary to review the development plan and ensure compliance with this ordinance and the Royston zoning ordinance.

Sec. 606. Completeness check.

(a) The application shall be checked for completeness within fifteen (15) business days of submission. Incomplete applications will not be processed.

(b) If all required documents and plans are not submitted, the development plan application will not be reviewed.

(c) The zoning administrator will notify the applicant of any deficiencies and will advise the applicant on what is needed to complete the application and initiate review.

Sec. 607. Development permit application processing.

(a) **Administrative procedures.** The zoning administrator is authorized to establish and modify administrative procedures regarding the development plan review administrative process to provide for expeditious decision making and to ensure fairness in the process.

(b) **Time frame.** Permits should be issued or denied as soon as practicable but in any event decisions on development permits should be issued by the zoning administrator within 30 business days of the notice of plan application completeness (or no later than 45 business days total), unless other agency reviews are required and are not yet completed.

(c) **Criteria for decisions on development permit applications.** The zoning administrator shall review the application for compliance with the following criteria, which shall not be limiting:

1. **Development code and zoning conditions.** Development plans must be consistent with all applicable articles and sections of this ordinance, the Royston zoning ordinance, and any conditions of zoning, conditional use, or variance approval, if applicable.

2. **Previously approved plats and plans.** When property to be developed is included on an approved final plat, master plan, or other plan approved by the county, development plans shall be in substantial accordance with said plat or plan as determined by the zoning administrator. Significant departures from any such requirements may require the resubmission of plat, master plan, or other plan previously approved, as determined by the zoning administrator.

3. **Usability or variance.** The zoning administrator shall not approve any development permit application or plan that shows a lot or situation that would clearly require a variance in 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.

(d) **Noncompliance.** If the development permit application and plans are found to not comply with the requirements of this ordinance and/or the Royston zoning ordinance, the zoning administrator shall indicate on the drawing or in writing all comments related to lack of compliance with applicable regulations. The zoning administrator shall deny or withhold approval of the development permit application in cases where the proposed development does not meet the requirements of this ordinance or the Royston zoning ordinance or the comments of any other internal or external agency with jurisdiction to review the development permit application.

(e) **Revisions.** Development plan applications shall be revised and resubmitted to accommodate the comments by review agencies and those issued to the applicant by the zoning administrator. If revisions are not resubmitted within a time frame specified by the zoning administrator, the application will be denied. Plan drawings that are submitted for

revision must specifically identify those areas that are to be considered for review and approval. The revisions shall be noted in tabular form in a revision block on the plan drawings. The zoning administrator may require a written narrative responding to review comments, indicating what and where in the plans that changes have been made

(f) **Compliance and approval.** When the zoning administrator has determined that the development permit application complies with the requirements of this UDC, it will be approved.

Sec. 608. Permit issuance and posting.

(a) When a development permit is issued, it may be assigned a number by the zoning administrator.

(b) To receive the development permit, the applicant shall submit four printed plan sets as approved, and the zoning administrator shall sign all four sets, retain two, and return two to the applicant; provided, however, the zoning administrator may at any time elect to accept only an electronic copy of said approved plans.

(c) The applicant may be required to sign a pre-construction memorandum acknowledging receipt of approved development plans and responsibilities of the property owner and applicant, including but not limited to calls for development inspections.

(d) The applicant shall be supplied a development permit card which must be posted on the development site prior to commencement of any land disturbing activity. The development permit card shall be posted in a conspicuous place so that it will be visible from the roadway providing frontage.

Sec. 609. Duration of development permit.

(a) **Expiration.** A development permit shall remain in effect for a period of six (6) consecutive months after which time the permit and plans will become null and void and a new permit will be required if no development activity has begun and has been diligently pursued.

(b) **Suspension or revocation.** A 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 plans or that the holder or his successor in title is in violation of this ordinance, the Royston zoning ordinance, or other city code section.

Sec. 610. Authority to investigate and inspect; right of entry.

(a) City of Royston personnel, including but not limited to the zoning administrator, shall have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in this ordinance, and for this purpose to enter at reasonable

times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing and development activities during the time a permit is active.

(b) No person shall refuse entry or access to any authorized representative or agent of the City of Royston or the state environmental protection division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties, during the time a permit is active.

Sec. 611. Development inspections.

Inspections are required for each of the following phases, as applicable to the actual work to be performed under the development permit:

(a) **Erosion and sedimentation control.** Required erosion and sedimentation control measures must be installed in accordance with the approved soil erosion and sedimentation control plan prior to any development activity and as development progresses. Prior to clearing or clearing and grubbing of the property or any portion included under the development permit, inspection of erosion and sedimentation control measures and protective devices for undisturbed areas shall be required. Inspection of erosion and sedimentation control measures will be conducted on a continuing basis.

(b) **Stormwater facilities.** Construction of the stormwater system shall be initiated as part of the grading of the site. Storm water detention facilities shall be constructed prior to the installation of any other site improvements, and may be utilized under proper design as sedimentation basins during development. Installation of all other storm drainage pipes, culverts, headwalls, and ditches, shall be coordinated with the construction of streets and other site improvements, as appropriate. Upon installation of storm drainage pipe, detention, or other storm water facilities, inspection and approval shall be required prior to continuation with subgrade preparation.

(c) **Grading.** Upon completion of street grading, if applicable, inspection and approval shall be required prior to trenching or continuation with subgrade preparation.

(d) **Street curbing and gutter (if provided).** After grading is completed and approved, the curb lines shall be staked by the developer's registered land surveyor. Inspection shall be requested after the subgrade is compacted and forms or string line have been set. Street width and vertical and horizontal alignment may be spot checked.

(e) **Sub-grade of streets**. After the earth work has been completed, all storm drainage and other underground utilities have been installed under the roadbed, and the backfill in all such ditches thoroughly compacted, the subgrade shall be brought to the lines, grades and cross section shown on the plans. If any sections of the subgrade are composed of unsuitable or unstable material, such material shall be removed to the depth directed by the inspector and replaced with suitable, thoroughly compacted material. Prior to placement of the street base, the subgrade shall be compacted to 95% density. Testing for

sub-grade compaction will be required, including two tests at each sanitary sewer manhole.

(f) **Utilities.** Before any street base is applied, all of the underground utilities—water mains, sewer mains, gas mains, or any other underground utilities, and all service connections related thereto, that will be located under the street base shall be installed completely and provided throughout the length of the street. If a public water system is to be installed, the improvements are to be reviewed, approved and inspected by the water provider.

(g) **Street base.** The base shall be string-lined for depth and crown. The street base shall be roll-tested with a fully loaded 18-ton tandem dump truck and shall pass to the satisfaction of the inspector. When testing is required by the inspector, it is the responsibility of the developer to ensure that all required tests are made and reported to the inspector. The cost of all testing and quality control shall be performed at the expense of the developer by qualified testing laboratories. If deemed necessary by the inspector, additional tests will be required.

(h) **Paving.** The inspector shall be on site during the paving process to check consistency, depth, and workmanship, as applicable. For asphalt paving, the temperature of the material will be monitored and the street may be required to be cored after completion to check thickness and density. Satisfactory test results of the cores shall, if required, be delivered to the zoning administrator and utility provider (where utilities are involved) prior to approval of a final subdivision plat if applicable.

(i) **Tree protection and landscaping.** Inspections for tree protection measures and the installation of landscaping, if required by this ordinance or Royston zoning ordinance, shall be as specified by the zoning administrator.

(j) **Final.** A final inspection of the development, once complete, shall be required.

Sec. 612. Field changes.

(a) After issuance of a development permit, if changes are desired or made necessary as a result of field conditions, the design engineer must contact the zoning administrator to coordinate the review and approval of the requested revision.

(b) All field changes shall be documented as revisions to the approved development plans and correctly shown on as-built surveys.

(c) Discrepancies between as-built surveys and approved development plans may result in delays in approving final plats, building permits or certificates of occupancy.

Sec. 613. No waiver of compliance.

No development permit issued by the zoning administrator 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 ordinance shall be considered to have been null and void upon its issuance.

Sec. 614. Development permit modifications.

(a) If modifications are requested to an approved development permit, the zoning administrator shall determine whether the modification is a major change or a minor change.

(b) For major changes, the applicant shall be required to submit plans and follow the procedures of this article to obtain a new (modified) development permit

(c) For changes deemed to be minor, the zoning administrator may charge a fee for minor development permit revisions specified in a fee schedule adopted by the Royston City Council and is authorized to review and approve such minor changes.