

ARTICLE 4

PROCEDURES, PLAN AND PLAT SPECIFICATIONS

4.7 APPROVAL OF FINAL SUBDIVISION PLAT

The approval shall reflect the owner's certification that all site work and construction has been accomplished according to the terms of approved plans and permits, and that all facilities intended for maintenance, supervision and/or dedication to the public are in compliance with appropriate standards, regulations, codes and ordinances. Such approval shall be revoked in cases of fraud or whenever unauthorized changes are made to the site without the benefit of required permits.

4.7.1 Final Plat Submission and Approval Procedures

- A. Upon completion of the project as authorized for construction by the development permit, the owner shall submit a Final Plat, in a number of copies as determined by the City, along with record drawings of all storm water detention facilities and modifications to the limits of the 100-year floodplain (if any), and an application for Final Plat approval, using a form provided by the City. An "as-built" hydrology study shall be submitted for the project with the actual parameters from the record drawing of the detention facilities. A record drawing of the sanitary sewer facilities, if any were constructed, shall also be prepared, separately or included with the above. The Final Plat submittal shall be in a form as required by the City and shall be accompanied by a Development Performance and Maintenance Agreement completed in draft form. If the owner is a corporation, the documents shall be signed by the President or Vice President, be affixed by the corporate seal, and either the corporate secretary shall attest to the signature and affix the corporate seal, or a Certificate of Corporate Resolution shall be submitted.
- B. The City shall indicate on a review copy of the Final Plat or in a written memorandum all comments related to compliance of the Final Plat with these Regulations, the Zoning Resolution, conditions of zoning approval, and the regulations of the City, Gwinnett County Departments, and State agencies as appropriate. The City Council shall have final authority to determine the applicability of any and all comments under these Development Regulations, the Zoning Resolution or conditions of zoning approval.
- C. The City may not approve any Final Plat whereon is shown or by which is otherwise created a lot which would present particularly severe and unusual difficulties for construction of a building, which would clearly require a variance to be reasonably usable, or which is otherwise "unbuildable" due to the presence of floodplain, unusual configuration, lack of Health Department approval, or for any other justified reason.
- D. Lots which would appear to be buildable under certain circumstances and would require further study or additional information before a building permit could be issued, but which present problems or unusual difficulties which can reasonably be addressed or overcome by the lot owner, may be included in the Plat with the appropriate notation of the steps necessary to allow issuance of a building permit (see Section 5.5, Lots; Article 5 General Requirements).

4.7.1. Final Plat Submission and Approval Procedures (Continued)

- E. The subdivider shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the comments of the City.
- F. Final approval by the City shall not be shown on the Final Plat, until all requirements of these and other applicable Regulations have been met, and the City has received a completed request for Approval of the Final Plat and an executed Development Performance and Maintenance Agreement. The Agreement shall be accompanied by a bond, letter of credit or other acceptable surety providing for the maintenance of all installations and improvements required by these Regulations in the subdivision for a period not to exceed 24 months following the date of Approval of the Final Plat for subdivisions. The Maintenance Bond period of application may be extended by the City Council at the request of the Developer, provided it is in the best interest of the health, safety and welfare of the public.
- G. The City shall further determine that either:
  - 1. The installation of all improvements within the subdivision, required for approval of the Preliminary Plat (Construction Plans), have been completed in accordance with the required or approved specifications; or
  - 2. All of the storm water drainage and detention facilities, water and sewer utilities, street base and curbing construction required for approval of the Final Plat have been properly installed and completed and, for those required improvements not yet completed (grassing, pavement topping, required landscaping, sidewalks, etc.) a performance bond shall have been filed by the subdivider with the Development Performance and Maintenance Agreement, which performance bond shall:
    - a. Be conditioned upon the faithful performance by the subdivider or developer of all work required to complete all improvements and installations for the subdivision, or approved portion thereof, in compliance with these Rules and Regulations within a specified time, not to exceed three months.
    - b. Be payable to, and for the indemnification of, the City.
    - c. Be in an amount equal to the cost of construction of the required improvements not yet completed plus an additional ten (10) percent of said costs, as calculated by the City on the basis of yearly contract prices or City contracts, where available.
    - d. Be with surety by a company entered and licensed to do business in the State of Georgia.
    - e. Be in a form acceptable to the City Council or their designee, or the City Attorney.
- H. Payment for materials and installation of traffic control and street name signs, the cost of striping major thoroughfares, and / or cost of required signalization not completed by the developer shall be received by the Department completing the improvements prior to approval of the Final Plat.
- I. Payment of the required plat recording fee shall be made to the City prior to approval of the Final Plat.**
- J. Once all other affected departments and agencies of government, as required, have certified compliance and signed the route sheet, and the City Administrator or his/her designee has approved the Final Plat, the Mayor shall certify, by his signature on the original of the plat, that all of the requirements of these Regulations, the Zoning Resolution, and the conditions of zoning approval have been met, and that all other**

affected departments have approved the plat. The Final Plat shall not be deemed approved until it has been signed by the Mayor and where use of septic tanks is proposed, by a duly authorized representative of the Gwinnett County Health Department.

- K. Once the Final Plat has been so certified, the City shall authorize it to be recorded with the Clerk of the Superior Court of Gwinnett. The subdivider shall provide the City with an appropriate number of copies of the recorded plat, as determined by the City. Deeds to lands dedicated to City of Dacula in fee simple, or to Property Owner Associations for park or recreational use, shall be recorded simultaneously with the Final Plat.

~~4.7.1. Final Plat Submission and Approval Procedures (Continued)~~

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4.7.2. Final Plat Specifications

- A. The Final Plat shall be clearly and legibly drawn in black ink on tracing cloth or other permanent reproducible material. The scale of the Final Plat shall be one inch represents 100 feet (1" represents 100') or larger. Sheet size shall not exceed 48 inches by 36 inches. (Any sheet that is larger than 17 inches by 22 inches must be photographically reduced to no more than 17 inches by 22 inches in order to be recorded with the Clerk of Superior Court of Gwinnett County).
- B. The Final Plat shall be based on a certified boundary survey which delineates the entire property contained within the Final Plat, and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than 1 in 10,000, and shall meet all requirements of Georgia Law regarding the recording of maps and plats.
- C. The Final Plat shall substantially conform to the Preliminary Plat and it may constitute only that portion of the approved Preliminary Plat which the subdivider proposes to record

at any one time, provided that such portion conforms to the requirements of these Regulations, and said portion is not inconsistent with the public health, safety, or welfare. Any substantial deviation from the Preliminary Plat shall require revision and re-approval of the Preliminary Plat.

- D. The Final Plat shall contain the following information:
1. Name of the subdivision, unit number, Tax Map page and parcel number(s) and/or Georgia Militia District.
  2. Name, address, and telephone number of owner of record and the subdivider (if not