

Section 2. Definitions

2.01. Use and Interpretation of Words

Except as specifically described herein, all words shall have the customary dictionary meaning. Words used in the present tense include the future tense, and words used in the future tense include the present tense. Words used in singular number include the plural, and words used in the plural include the singular. The word "person" includes an individual, a firm, corporation, association, organization, trust or partnership, or government. The word "shall" is always mandatory. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designated to be used or occupied." Doubt as to the precise meaning of any word used in these regulations shall be clarified by the Engineering Manager.

2.02. Definitions of Words and Phrases

Alley: A private driveway which affords only a secondary means of access to abutting property, and is not intended for general traffic.

Appropriate State Approved Professional: A professional, currently registered in the State of Georgia, who is approved by state law to provide such design documents and plans as required in these regulations.

AASHTO Standards: Standards set forth by the American Association of State Highway Transportation Officials.

Average Daily Trips (ADT): The total number of vehicle movements both entering and exiting the designated study site on an average weekday. ADT for various land uses will be determined using the most current edition of the Institute of Transportation Engineers' (ITE) Trip Generation Manual.

Best Management Practices (BMP's): Shall be as defined in the Cherokee County Soil Erosion, Sedimentation and Pollution Control Ordinance located at Appendix B of the Cherokee County Development Ordinance.

Board of Commissioners: The Board of Commissioners of Cherokee County, Georgia.

Building Line: The line established by the Georgia Plat Act beyond which a building shall not extend, as determined by the front, side and rear yard setbacks.

C.M.P.: Corrugated metal pipe.

Comprehensive Plan: The Cherokee County Comprehensive Land Use Plan.

Construction Plans: A set of engineering drawings or maps accompanying a subdivision plat and showing the specific location and design of the improvements to be installed in the subdivision.

Engineering Manager: The Engineering Manager of Cherokee County, Georgia.

Cul-de-sac: A street with only one outlet, closed and terminated with a vehicular turn-around.

Developer: Any person, corporation or duly authorized agent who undertakes the subdivision of land as defined herein.

Development Inspector: The County inspector responsible for inspections in the field throughout the development phase of a specific development.

Easement: A grant by a property owner of the use of land for a specific purpose or purposes to a person, government agency or public utility company.

Environmental Health Department: The Cherokee County Environmental Health Department.

Finished Floor Elevation: The top surface of the lowest inhabitable level of an enclosed area in a building, including the basement. This could be the top of the slab in concrete slab construction or the top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Frontage: The width of a lot as measured where it abuts the street right-of-way.

Georgia D.O.T.: Is per the Georgia Department of Transportation.

Lot: A platted parcel of land intended to be separately owned, developed, and otherwise used as a unit.

NPDES-NOI: (NPDES) shall be as per the National Pollutant Discharge Elimination System Permit and the Notice of Intent (NOI) as a requirement of that permit.

Performance Guarantee: A bond, letter of credit, cash equivalent, or other instrument provided by the developer and approved by the Cherokee County Attorney that insures funds will be available to the County if the required subdivision improvements are not completed.

Permits: For Clearing & Stumping Permits and Land Disturbance Permits refer to Section 3.02; for an Erosion Control Permit refer to Section 6.01.

Plat, Final: The plat of the subdivision, meeting the requirements of these regulations, for recording in the Office of the Clerk of the Superior Court of Cherokee County.

Planning Commission: The Cherokee County Planning Commission.

Planning Department: The Cherokee County Planning and Zoning Department.

Private Street: A street which is privately owned and maintained, and over which the general public has no right of use.

R.C.P.: Reinforced concrete pipe.

Right-of-way: An area or strip of land, either public or private, on which an irrevocable right of passage has been recorded for the use of vehicles and utilities.

State Waters: Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of Georgia which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

Stream Buffer, County: A fifty (50) linear-foot strip of land measured from point of wretched vegetation. This area is to remain undisturbed and is inclusive of the State Water Buffer.

Stream Buffer, State: Also known as the State Water Buffer comprised of a twenty-five (25) linear-foot strip of land measured from the point of wretched vegetation. This area is to remain undisturbed unless a variance has been obtained by the Georgia Environmental Division (EPD). In areas comprised of a trout stream, the buffer area is increased to fifty (50) linear feet.

Street: A right-of-way for vehicular traffic referred to as a street, highway, parkway, road, avenue, drive, boulevard, lane, place or otherwise. Specific classifications of streets are:

Street, Arterial: A street designed for rapid, continuous movement of all types of traffic but with less control over the access points from streets and adjacent property than freeways.

Street, Collector: Conducts and distributes traffic between local streets and higher-order streets (arterials and freeways). Its function is to promote free traffic flow and access to individual properties. On-street parking should be limited.

Street, Freeway: A multi-lane, limited access street designed for fast, continuous movement of all types of traffic, with control over access to abutting property.

Street, Local: The lowest order street, providing frontage for access to private lots. Designed to carry traffic at slowest speed. Local streets include Residential 1, 2 and 3 and Rural Residential Streets, and Non-residential 1 Streets.

Subdivision: Any division of a tract or parcel of land into two or more lots, building sites, or other divisions, for the purpose, whether immediate or future, of sale or building development. The term includes all development of land involving a new street or a change in existing streets, includes re-subdivision, and, where appropriate to the context, relates to the process of subdividing or to the land or area subdivided.

Subdivision, Major: A subdivision of land which results in the creation of eleven (11) or more lots.

Subdivision, Minor: A subdivision of land which results in the creation of not more than ten (10) individual tracts of land provided all tracts of land within the subdivision have appropriate frontage, access, and otherwise comply with these and other County regulations.

Lot Split: The subdivision of a tract or parcel of land into two (2) parcels where each parcel has the minimum road frontage on a county road or an individual exclusive access and utility easement as defined in the Cherokee County Zoning Ordinance.

Minor Plat: The subdivision of a tract or parcel of land into three (3) to five (5) parcels where each parcel has the minimum road frontage on a county road or an individual exclusive access and utility easement as defined in the Cherokee County Zoning Ordinance.

Rural Subdivision: The subdivision of a tract or parcel of land into three (3) to ten (10) parcels where each parcel has the minimum road frontage on a county road or have access to a county maintained road by way of a non-exclusive and shared 60 ft. access and utility easement as defined in the Cherokee County Zoning Ordinance.

Subdivision, Non-residential: A subdivision developed in an office, commercial or industrial zoning district, where the intended use is primarily non-residential.

Subdivision, Residential: A subdivision developed in a residential, agricultural or Traditional Neighborhood Development (TND) zoning district, where the intended use is primarily residential.

Utilities: Public and private services provided to residential and non-residential subdivisions. These services for the purposes of this ordinance include: water, sanitary sewer and storm sewer.

Zoning Regulations: The Zoning Ordinance of Cherokee County, Georgia, as amended.