

CHAPTER 155: SUBDIVISION REGULATIONS

Table of Contents

CHAPTER 155: SUBDIVISION REGULATIONS.....	1
STANDARD PROVISIONS	1
' 155.01 AUTHORITY.	1
' 155.02 TITLE.....	1
' 155.03 PURPOSE.	1
' 155.04 JURISDICTION.....	1
' 155.05 INTERPRETATION.....	1
' 155.06 COMPLIANCE.....	2
' 155.07 POLICY CONCERNING ADEQUACY OF PUBLIC FACILITIES.....	2
' 155.08 ACCEPTANCE OF PUBLIC SERVICES.	3
' 155.09 CONSISTENCY WITH OFFICIAL PLANS.	3
' 155.10 CONSISTENCY WITH COMPREHENSIVE PLAN.....	3
' 155.11 RESUBDIVISION PROCEDURES.	4
' 155.12 VACATION OF PLAT.....	4
INCLUSIONS AND EXCEPTIONS.....	4
' 155.20 SUBDIVISION DEFINED.	4
' 155.21 PLATS NOT SUBJECT TO REGULATIONS.	4
LEGAL PROVISIONS	5
' 155.30 DUTY OF PROPERTY OWNER AND/OR AUTHORIZED AGENT.....	5
' 155.31 DUTY OF REGISTER OF DEEDS.	5
' 155.32 DUTY OF CLERK OF COURT.....	5
' 155.33 DUTY OF PLANNING BOARD.	6
' 155.34 PENALTIES FOR VIOLATION.....	6
' 155.35 SEVERABILITY.	6
' 155.36 AMENDMENTS.....	6
' 155.37 PRIOR INCONSISTENT ORDINANCES.....	7
' 155.38 VARIANCES.....	7
DEFINITIONS.....	7
' 155.50 GENERAL.	7

SUBDIVISION REVIEW PROCEDURES	11
' 155.60 OVERVIEW.	11
' 155.61 SKETCH PLAN REVIEW PROCESS.....	11
' 155.62 MINOR SUBDIVISION REVIEW PROCESS.....	12
' 155.63 MAJOR SUBDIVISION REVIEW PROCESS.....	17
' 155.64 SUBDIVISION REVIEW AND ADMINISTRATIVE CONTROL.....	26
' 155.65 SUBDIVISION REVIEW SHEET.	26
' 155.66 EXPEDITED SUBDIVISION REVIEW PROCESS	30
DESIGN AND CONSTRUCTION STANDARDS	30
' 155.70 GENERAL.	30
' 155.71 STREETS.....	33
' 155.72 STORM WATER MANAGEMENT.....	37
' 155.73 UTILITIES.....	40
' 155.74 OTHER IMPROVEMENTS.....	44
' 155.75 OTHER REQUIREMENTS.....	44

STANDARD PROVISIONS

' 155.01 AUTHORITY.

The enactment of this chapter is pursuant to the authority granted to municipal governments under G.S. 160D, as amended and supplemented.

' 155.02 TITLE.

Upon adoption, the title of this chapter shall be the Plymouth Subdivision Ordinance, known hereafter as the Subdivision Ordinance.

' 155.03 PURPOSE.

The purpose of this chapter is to establish a user-friendly, reasonable and uniformly enforceable procedures and standards for the development and subdivision of land within the territorial planning jurisdiction of the town. It is designed to provide for, including but not limited to, coordination of streets, transportation, recreation facilities, community facilities, infrastructure, and utilities within proposed subdivisions, to service proposed subdivisions and minimize future expenditures by the town taxpayers for provision of these and related services. It is further designed to redistribute population and traffic in a manner that will avoid undesired congestion and overcrowding, and to create wholesome conditions essential to public health, safety, and general welfare. Also, to provide for proper legal description, monumentation and recording of land that will insure easy identification and permanent location of all real estate boundaries. In addition, this chapter is designed to encourage the wise, productive, and beneficial use of the natural resources of the town, to maintain a healthy and pleasant environment, and to preserve the natural historical beauty of the town and its territorial planning jurisdiction.

' 155.04 JURISDICTION.

The regulations of this chapter shall apply throughout the town and its extraterritorial planning jurisdiction as now and hereafter established.

' 155.05 INTERPRETATION.

For the purpose of this chapter, the following words shall be interpreted as follows:

- (A) The word ***MAY*** is permissive.
- (B) The words ***SHALL*** and ***WILL*** are mandatory.

- (C) The present tense and the future tense include the present tense.
- (D) The singular of words is inclusive of the plural and the plural is inclusive of the singular.
- (E) All other word interpretations shall be pursuant to ' 155.50.

' 155.06 COMPLIANCE.

Legally created unimproved lots as of the effective date of this chapter must, after the adoption of this chapter, be improved in compliance herewith and be in compliance with regulations, ordinances, and statutes incorporated by reference herein.

' 155.07 POLICY CONCERNING ADEQUACY OF PUBLIC FACILITIES.

No preliminary plat shall be approved unless and until the Planning Board determines that public facilities will be adequate to support and service the area of the proposed subdivision. The applicant shall, at the request of the Planning Board and at no cost to the town, submit sufficient information and data on the proposed subdivision to demonstrate the expected impact on and use of public facilities by possible uses of said subdivision. Public facilities and services to be examined for adequacy will include but not be limited to roads and public transportation facilities, sewerage, water service, electric and natural gas service.

(A) Periodically the Town Council will establish, by resolution, and after public hearing, guidelines for the determination of the adequacy of public facilities and services. To provide the basis for the guidelines, the Planning Board must prepare an analysis of current growth and the amount of additional growth that can be accommodated by future public facilities and services. The Planning Board must also recommend any changes in preliminary plat approval criteria it finds appropriate in the light of its experience in administering these regulations.

(B) The applicant for preliminary plat approval must, at the request of the Planning Board, submit sufficient information and data on the proposed subdivision to demonstrate the expected impact on and use of public facilities and services by possible uses of said subdivision.

(C) Comprehensive Plan consistency required. Proposed public improvements shall conform to and be properly related to the local government's Comprehensive Plan and all applicable capital improvements plan.

(D) Water service. All habitable buildings and buildable lots shall be connected to a county/ municipally approved public water system capable of providing water for health and emergency purposes, including adequate fire protection.

(E) Wastewater. All habitable buildings and buildable lots shall be served by a municipally approved means of wastewater collection and treatment.

(F) Stormwater management. Drainage improvements shall accommodate potential runoff from the entire upstream drainage area and shall be designed to prevent increases in downstream flooding. The local government may require the use of control methods such as retention or detention, and/or construction.

(G) Roads. Proposed roads shall provide a safe, convenient, and functional system consistent with the Town's Transportation Improvement Plan, for vehicular, pedestrian, and bicycle circulation; shall be properly related to the comprehensive plan; and shall be appropriate for the particular traffic characteristics of each proposed development as same relates to the town as a whole.

(H) Extension policies. All public improvements with required written easements shall be extended through the parcel on which new development is proposed. Municipal utilities, streets, water lines, wastewater systems, drainage facilities, electric lines, and telecommunications lines shall be constructed through new development to promote the logical extension of public infrastructure. The local government may require the applicant for a subdivision to extend offsite improvements to reach the subdivision or oversize required public facilities to serve anticipated future development as a condition of plat approval.

' 155.08 ACCEPTANCE OF PUBLIC SERVICES.

No street shall be maintained by the town or street dedication accepted for ownership and/or maintenance by the town, nor shall water, or sewer or other town utilities or services be extended to or connected within any subdivision until the requirements set forth by this chapter and other applicable regulations, ordinances, and statutes, have been fully complied with and a final plan has been approved, in writing, by the Town Council and recorded with the County of Washington Register of Deeds. All lots for residential use, improved after the effective date of this chapter, shall front and abut a public street. No final plat shall be approved or recorded showing private streets, unless a subdivision exclusively involves nonresidential uses.

' 155.09 CONSISTENCY WITH OFFICIAL PLANS.

Subdivision plans shall be consistent and in compliance with all officially adopted Land Use Plans, Thoroughfare Plans, Water and Sanitary Sewer Connection and/or Extension Ordinances, the Coastal Area Management Act of 1974, as amended and supplemented, and any and all other officially adopted ordinances and/or plans applicable to the town's health, safety, welfare, and orderly growth.

' 155.10 CONSISTENCY WITH COMPREHENSIVE PLAN.

Applications submitted pursuant to this chapter and approvals, if any, granted pursuant to this chapter shall be consistent with the adopted Town Comprehensive Plan, its amendments and supplements.

' 155.11 RESUBDIVISION PROCEDURES.

For any replatting or resubdivision of land, the same procedures, rules and regulations shall apply as prescribed herein for an original subdivision.

' 155.12 VACATION OF PLAT.

(A) *Written instrument required.* Any plat or any part of any plat may be vacated by the owner at any time before the sale of any legally created lot in the subdivision by a written instrument to which a copy of such plat shall be attached, declaring the same to be vacated.

(B) *Town Council approval.* Such written instrument referred to in the paragraph next immediately preceding shall be approved in writing. The Town Council may reject any such instrument, which abridges or destroys any public rights in any of its public uses, improvements, streets or alleys.

(C) *Form and effect.* Such an instrument shall be executed, acknowledged, or approved and recorded and filed in the same manner as a final plat; and being duly recorded or filed, shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat.

(D) *Owners of lots must join.* When legally created lots have been sold, the plat may be vacated in the manner provided in this section only when all owners of the lots in the subdivision as shown on said plat join in the execution of the instrument described in this section.

INCLUSIONS AND EXCEPTIONS

' 155.20 SUBDIVISION DEFINED.

A ***SUBDIVISION*** is all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions of land for the purpose (expressed or implied) of sale or building development (immediate or future) and includes all division of land involving the dedication of a new street or a change in existing street patterns.

' 155.21 PLATS NOT SUBJECT TO REGULATIONS.

Only under the following conditions will the prevailing definition of subdivision not be enforced:

(A) When the combination or recombination of portions of previously subdivided and recorded lots (the total number of lots) does not increase and/or the resultant lots equal or exceed the standards of the municipality as required by this chapter;

(B) When the division of land into individual parcels greater than five (5) acres does not involve the dedication of a street right-of-way;

(C) When the public acquisition by purchase of strips of land for widening or opening streets takes place; or

(D) When the division of a tract under single ownership is involved whose entire area is no greater than two acres and is divided into no more than three lots, provided no street right-of-way dedication is involved and the resultant lots are equal to or exceed the standards of the municipality as required by this chapter.

(E) The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the North Carolina General Statutes.

LEGAL PROVISIONS

' 155.30 DUTY OF PROPERTY OWNER AND/OR AUTHORIZED AGENT.

A plat must be prepared, approved, and recorded whenever the subdivision of land takes place as defined in ' 155.20. The property owner shown on the subdivision plat submitted for recording, or the authorized agent for such owner, shall sign a statement (see " 155.62(C) or 155.63(G)) on the final plat stating whether any land shown there under his ownership is subject to the subdivision ordinance regulations of the town.

' 155.31 DUTY OF REGISTER OF DEEDS.

The Register of Deeds of Washington County shall not file or record a plat of a subdivision of land located within the territorial planning jurisdiction of the town that has not been approved, in writing, in accordance with this chapter. It is a violation of this chapter to record any deed indicating a lot on a preliminary or sketch plan until a final plat has been signed and recorded pursuant to this Code. This duty will commence from the date the subdivision ordinance is filed with the Register of Deeds of Washington County.

' 155.32 DUTY OF CLERK OF COURT.

The Clerk of Superior Court shall not order or direct the recording of a plat if the recording would be in conflict with this chapter.

' 155.33 DUTY OF PLANNING BOARD.

The Town Planning Board shall act as a review/advisory body under the procedures spelled out in " 155.61 through 155.63. The Planning Board shall require compliance with all applicable procedures standards set forth under the terms of this chapter.

' 155.34 PENALTIES FOR VIOLATION.

After the effective date of this chapter, any person who, being the owner or the agent of the owner of any land located within the territorial planning jurisdiction of this chapter, thereafter subdivides his/her land in violation of this chapter or transfers or sells land by reference to, exhibition of, or any other uses of a plat showing a subdivision of land before the plat has been properly approved under the terms of this chapter and recorded in the office of the Register of Deeds of Washington County, shall be guilty of a first degree misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land does not exempt the transaction from this penalty. The town, through its attorney or other official designated by the Town Council, may enjoin illegal subdivision, transfer or sale of land, and the Court shall, upon appropriate findings, issue an injunction and order requiring the offending party to comply with this chapter. Further, violators of this chapter shall be subject, upon conviction, to fine and/or imprisonment as provided by G.S. ' 14 4. If an appeal is made, all enforcement actions, including fines, shall be paused during an appeal process.

' 155.35 SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions hereof.

' 155.36 AMENDMENTS.

This chapter may be amended from time to time by Town Council after giving public notice of and holding a public hearing with respect to such amendment, and public notice of the public hearing must be given at least once a week for two consecutive calendar weeks in a newspaper of general circulation in the town and said notice shall be published the first time not less than 15 days nor more than 25 days before action on the amendment is to be taken; however; provided that no amendment shall become effective unless it shall have been proposed by the Planning Board or shall have been submitted to said board for review and recommendation.

' 155.37 PRIOR INCONSISTENT ORDINANCES.

All ordinances or regulations other than the Zoning Ordinance of the town, which are in conflict with this chapter, are hereby repealed. Should the requirements of these regulations conflict with those of the Town Zoning Ordinance, the more stringent requirements shall prevail.

' 155.38 VARIANCES.

(A) Where because of severe topographical or other conditions peculiar to the site, and not caused by the owner/applicant, strict adherence to the provisions of this chapter would cause an unnecessary hardship, the Town Council may, on recommendation of the Planning Board, authorize a variance to the terms of this chapter only to the extent that is absolutely necessary and not to an extent which would violate the spirit and/or intent of the chapter.

(B) *Prior business use lot/parcel variance.* The subdivision variance is intended only for businesses established prior to adoption of the Town of Plymouth Zoning (September 12, 1983) and Subdivision Ordinances (July 9, 2001). The purpose of the variance procedure is to allow long term established businesses to continue their same use, but not be prohibited from expansion and/or continued functional viability because of restrictions imposed following their original establishment. The business variance must comply with the following:

- (1) The proposed situation is expected to result in impacts which are no greater than those associated with the existing use/situation;
- (2) The proposed situation will be no less compatible with the surrounding neighborhood than is the existing use/situation;
- (3) Approval of the change will not lessen the public health, safety, and general welfare; and
- (4) Failure to approve the change in nonconforming use would result in hardship to the owner of the property and/or business on which the nonconforming use/situation is located.
- (5) The same business use must continue with any expansion.

(C) A non-conforming lot or situation including setbacks, lot width and lot size may be created as a result of a variance granted by ' 155.38(B) of the Subdivision Ordinance.

DEFINITIONS

' 155.50 GENERAL.

For the purpose of this chapter, certain terms and words used herein shall be used, interpreted, and defined as follows:

ALLEY. A public thoroughfare that affords only a secondary means of access to abutting property.

AUTHORIZED AGENT. One who is designated, in writing, and is legally acting as representative for, or by the authority of the subdivider.

BOARD OF ADJUSTMENT. The Town of Plymouth Board of Adjustment.

BUILDING SETBACK LINE. A line parallel to the front property line which establishes the minimum allowable distance between nearest portions of any building, steps, eaves, gutters, and similar fixtures, and the street right-of-way line when measured perpendicularly thereto.

CAMA. The Coastal Area Management Act of 1974, and as amended and supplemented.

CORNER LOT. A legal lot, which occupies the interior angle at the intersection of two street lines. The street line forming the least frontage shall be deemed the front of the lot except where the two street lines are equal, in which case, the owner shall be required to specify orientation when requesting a building permit.

DEDICATION. A gift, by the owner, of a right to use land for stated purposes. A dedication must be in writing and in recordable form, and is completed with an acceptance and recordation.

DISCLOSURE STATEMENT. A statement prepared and signed by the subdivider and the buyer of the subject real estate, fully and completely disclosing the status (whether public or private) of the street upon which the lot fronts. The statement shall also include an explanation of the consequences and responsibility as to maintenance and construction of proposed roadways.

DOUBLE FRONTAGE LOT. A continuous (through) legal lot of the same depth as the width of a block containing two tiers of legal lots and which is accessible from both of the streets upon which it fronts.

EASEMENT. A grant in writing and in recordable form by the property owner for use by the public, a corporation or person(s) of a strip of land for specific reasons.

EXTRATERRITORIAL JURISDICTION. The land lying outside of the corporate limits of the town but within the One Mile district designated by the Town Council subject to municipal planning and development controls as provided for in G.S. ' 160D-202, as amended and supplemented.

GROUP DEVELOPMENT. A development comprised of two or more legal buildings, such as a group of apartments, where the land is not subdivided into the customary streets and lots.

LOT. A portion of a legal subdivision or any other parcel of land intended as a unit for transfer of ownership or for development, or both. The word lot includes the word parcel or plot.

LOT OF RECORD. A lot which is a part of a legal subdivision, a plat of which has been recorded in the Office of the Register of Deeds of Washington County prior to the adoption of this chapter, or a legal lot described by metes and bounds, the description of which has been so recorded prior to the adoption of this chapter.

MAJOR SUBDIVISION. The division of a tract or parcel into five or more lots.

MINOR SUBDIVISION. All divisions of land, which are not exempt from review by the definition above and which result in four or fewer lots fronting on an existing paved public road.

OFFICIAL MAP OR PLAN (LAND DEVELOPMENT PLAN OR COMPREHENSIVE PLAN). Any maps or plans officially adopted by the Mayor and Town Council as a guide for the development of the town.

PLANNED UNIT DEVELOPMENT. A land development project comprehensively planned as an entity via a unitary site plan which permits flexibility in infrastructure, utilities, roads, building siting, mixtures of building types and land uses, recreational areas and useable open spaces and the preservation of significant natural features. Included within this definition shall be Planned Unit Residential Developments and Planned Unit Nonresidential Developments or combination thereof.

PLANNING BOARD. The Town Planning Board of Plymouth, North Carolina.

PLAT. A map or plan delineating a tract or parcel of land to be subdivided, land to be dedicated for public use, or right-of-way for street or utility purposes. The word plat shall include the terms map, plot, and plan.

PLAT, FINAL. A map of land subdivision prepared in a form suitable for filing of record with necessary signatures, consents, affidavits, dedications, acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets, public areas, and other dimensions of land, as prescribed by this chapter.

PLAT, PRELIMINARY. A map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land, as prescribed by this chapter.

RESERVATION. A reservation of land not involving the transfer of property rights in writing and in recordable form. It simply constitutes an obligation to keep property free from development for a stated period of time.

REVIEW OFFICER. The Town Manager or his/her designee who is responsible for reviewing, processing, and assisting in the review of subdivision requests and providing technical assistance in the evaluation of requests.

SHOULDER. The graded part of the right-of-way that lies between the edge of the main pavement, concrete, cement (main traveled way) and the curbline.

SIDEWALK (AREA). A paved, concrete, and/or cement path provided for pedestrian use and usually located at the side of a road within the right-of-way.

SINGLE TIER LOT. A lot which backs upon a limited access highway, a railroad, a physical barrier, or a non-residential use and to which vehicular access from the rear is usually prohibited.

SKETCH PLAN. A written schematic representation of the proposed subdivision layout and design.

STREET. A public dedicated right-of-way for vehicular traffic.

(1) **ARTERIAL STREET, or MAJOR THOROUGHFARE.** A street connecting widely separated areas and designed to carry a large volume of traffic which may be fast, heavy, or both. Arterial streets are sometimes referred to as major thoroughfares, freeways, etc., and are usually numbered state and federal highways.

(2) **MINOR THOROUGHFARE.** See distinction set forth in the Street Classification Table contained in ' 155.71(E).

(3) **COLLECTOR STREET.** A street which serves as the connecting street system between local residential streets and the thoroughfare system. (See distinction between Minor and Major in the Street Classification Table contained in ' 155.71(E)).

(4) **CUL-DE-SAC.** A short street having but one end open to traffic and the other end being permanently terminated and a vehicular turn-around provided.

(5) **FRONTAGE ROAD.** A street that is parallel to a full or partial access controlled street facility and functions to provide controlled access to adjacent land.

(6) **MINOR STREET.** A street whose primary function is to provide access to abutting properties and is designed to discourage use by through traffic. Minor streets may also be referred to as neighborhood streets.

STRUCTURE. Any improvement and/or anything constructed or erected, the use of which requires more or less permanent location on the ground or which is attached to something having more or less permanent location on the ground.

SUBDIVIDER. Any person, firm, entity, partnership, or corporation who subdivides or develops any land deemed to be a subdivision as herein defined.

SUBDIVISION. As defined in ' 155.20.

SUBDIVISION REVIEW SHEET. The official document of action concerning all subdivision requests of the Town of Plymouth.

TOWN COUNCIL. The Town Council of Plymouth, North Carolina; the governing board of the municipality of Plymouth, North Carolina.

THOROUGHFARE PLAN. The Thoroughfare Plan as drawn by the North Carolina Department of Transportation as the basis for the development of the transportation road design for the Town of Plymouth.

ZONING CLASSIFICATION. The appropriate zoning designation as set forth in the Municipal Zoning Ordinance of Plymouth, North Carolina.

SUBDIVISION REVIEW PROCEDURES

' 155.60 OVERVIEW.

The following sections outline the steps and design requirements for subdivision plat approval. The procedures are divided into three categories for the purposes of this chapter, major, minor, and expedited. Each category is defined and procedural requirements are set forth in this subchapter.

' 155.61 SKETCH PLAN REVIEW PROCESS.

(A) A sketch plan of a proposed subdivision may, upon the payment of the appropriate fee, be submitted by the subdivider for discussion and consideration by the Planning Board. The town encourages all subdividers to take advantage of this service. The sketch plan shall be drawn to a convenient scale of not more than 100 feet = 1 inch. It must include a general description of the proposed subdivision as well as the following items as may be applicable:

- (1) The proposed name, street address, and location of the subdivision with north arrow (the proposed name shall not duplicate the name of any previously recorded subdivision);
- (2) The total acreage of the proposed subdivision;
- (3) The tentative street and numerical lot arrangement, with proposed street widths;
- (4) The name, address, and telephone number of both the owner and the subdivider;
- (5) The proposed lot sizes and number of lots;
- (6) The existing and proposed uses of the land within the subdivision and adjoining it;
- (7) Zoning classification of the tract and adjoining properties;
- (8) Sketch vicinity map, if outside the town corporate limits; and

(9) Name, address, telephone number of sketch plan preparer and date of preparation.

(B) The Planning Board or its designee shall, upon the payment of the appropriate fees, review the sketch plan for general compliance with the requirements of this chapter, and any other applicable regulation, ordinance, and/or statute. The Planning Board or its designee shall provide the subdivider or the subdivider's designee with a copy of the regulations pertaining to the proposed subdivision and the procedures to be followed in preparation and submission of the preliminary and final plats.

' 155.62 MINOR SUBDIVISION REVIEW PROCESS.

(A) *Purpose.* The minor subdivision review procedure affords the sale of lots and/or tracts of land which qualify as subdivisions under the definition in state statutes, but which will have little impact on town subdivisions of land which involve no street right-of-way dedication and four lots or less, to be used solely for residential development, may follow the abbreviated procedure, which only requires that a final plat be submitted for approval. No more than four lots under one owner from one tract shall be eligible for consideration under the abbreviated procedure in any five year period.

(B) *Definition.* A **MINOR SUBDIVISION** shall be defined as a subdivision of property that conforms to the following conditions:

(1) Involves no more than four lots (expressed or planned) fronting on an existing approved street; or

(2) Not involving any new street, either on periphery of property or for prospective interior access; and

(3) Not requiring extension of public water and/or sewage lines; and

(4) Not requiring creation of new drainage easements through property to serve property the rear; and

(5) Does not create any new or residual parcels that do not confirm to the requirements of the Plymouth Municipal Zoning Ordinance and this chapter; and

(6) Does not constitute an enlargement or extension of a previously approved minor plat (by county or town) above four lots maximum. The fifth lot (expressed or planned) constitutes a major subdivision.

(C) *Plat review.*

(1) The subdivider shall submit to the Zoning Administrator five copies of the proposed final plat, and five copies of a completed and signed application, accompanied by a filing fee of \$100.

(2) Content of plat. The minor subdivision final plat shall be prepared and sealed by a North Carolina Professional Registered Land Surveyor. It shall be drawn to the scale of one inch to 100 feet. Sheet sizes shall be no smaller than 12 inches by 18 inches, and no larger than 18 inches by 24 inches, and in accordance with the standards and practices of the Washington County Register's Office. Three copies of the final plat shall be drawn on reproducible Mylar. The plat shall contain the following information:

(a) The proposed subdivision name, address and location with the boundaries, north point, legend, date, revision date, and purpose if applicable, scale, title block, and certifications. The proposed name shall not duplicate the name of any previously recorded subdivision;

(b) The name(s), address(es) of the land owner(s), subdivider, mortgagee, North Carolina Professional Registered Land Surveyor, as well as the telephone numbers of any other professionals engaged in the design of the subdivision;

(c) The existing and proposed uses of the land within the subdivision, and adjoining it, along with any structures contained thereon, if located within an area of special flood hazard, as identified by the Federal Emergency Management Agency, the location of the base flood elevation shall be indicated. A drainage plan and calculations, including description of the effects of a 100-year storm;

(d) Zoning classification(s) of the tract, which is the subject matter of the subdivision, as well as the zoning classification(s) of adjoining properties;

(e) Sketch vicinity map showing the location of the subdivision in relation to surrounding area;

(f) The total acreage of the proposed subdivision and layout of lot arrangement, including block/lot lines, block/lot dimensions, and block/lot numbers;

(g) Plans for proposed utility layouts, including sanitary sewers, storm sewers, water distribution lines, street lighting, gas, telephone electric service, illustrating connections to existing systems, or plans for individual water supply systems and/or sewer disposal systems, showing line size, and location of fire hydrants and manholes;

(h) Wooded areas and/or farm lands proximate to the proposed subdivision;

(i) Proposed rights-of-way or easements, location, width and/or purpose;

(j) Plat shall be accompanied by a copy of any proposed deed restrictions or restrictive covenants;

(k) Each subdivision within town limits shall be located within 500 feet of at least a six inch (6") water line and fire hydrant (size to be determined by the Fire Chief and/or Town Engineer). All fire hydrants shall be installed in accordance with the town=s existing policy.

(l) Certificate of ownership and dedication. The following shall be placed on the final plat and signed by the owner(s) of the subdivision:

I (We), hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent; established minimum building setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements to public or private use as noted. Furthermore, I (we) dedicate all sewer and water lines to the Town of Plymouth and certify the land as shown hereon is within the planning jurisdiction and subject to the subdivision ordinance of the Town of Plymouth, North Carolina.

_____	_____
Date	Owner(s)
_____	_____
Date	Owner(s)

North Carolina, Washington County

I, a Notary Public of the County and State aforesaid, certify that the owner(s) listed above personally appeared before me this day and acknowledge the execution of the foregoing instrument, witness my hand and official stamp or seal, this __ day of _____, _____.

Notary Public

My Commission Expires: _____

(m) Certificate of Review Officer.

North Carolina, Washington County

I, _____, Review Officer of Washington County, certify that this map or plat to which this certification is affixed meets all statutory requirements for recording.

_____	_____
Date	Review Officer

Map: _____ Book: _____

(n) Certificate of accuracy.

I, _____, certify that this plat was drawn under my supervision form (an actual survey made under my supervision) (deed description recorded in Book _____, Page ____, etc.) (other); that the ratio of precision as calculated by latitudes and departures is 1/ _____; that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____, Page ____; that this plat was prepared in accordance with G.S. ' 47 30 as amended. Witness my original signature, registration number, and seal this _____ day of _____ (2001, etc.).

Surveyor

Seal or Stamp

Registration Number

(o) Certificate of approval of the design and installation of streets, utilities and other required improvements.

I hereby certify that all streets, utilities and other required improvements have been installed in an acceptable manner and according to town specifications in Subdivision.

Date

Zoning Administrator

(p) Coastal Area Management Act Certificate.*

The area designated hereon is in part located within, is in totality (located within/is not located within) an Area of Environmental Concern, and (requires/does not require) a CAMA Permit prior to construction of improvements.

Date

Coastal Area Management Act Permit Officer

**This certification, depending on the circumstances, may or may not be applicable.*

(D) Review process (approval/disapproval).

(1) The final plat shall be reviewed by the Zoning Administrator, or other members of the town staff, and the town's consulting engineer for plat compliance with this chapter and with other applicable state, county, and municipal ordinances. The Town Manager, at the request of the Zoning Administrator, or own his/her own initiative may

retain appropriate professionals to check the final plat for technical compliance with appropriate statutes, regulations, or ordinances, charging the cost to the subdivider.

(2) The Zoning Administrator shall check the plat for compliance with town ordinances, and distribute prints of the proposed subdivision to any governmental agency or agencies having a specific interest in the subdivision for their comments or recommendations, including where applicable but not limited to the Washington County Health Department, North Carolina Department of Transportation, the Land Resources Division of the North Carolina Department of Environment and Natural Resources, the USDA Natural Resources Conversation Service, the U.S. Postal Service, Washington County Building Inspections, Washington County Schools, Plymouth Fire Chief, Plymouth Police Chief, Plymouth Town Manager, other appropriate Plymouth Staff, and CSMD (sewage capacity).

(3) Within 30 working days of receipt of the application for the proposed final plat, and appropriate fee, the Zoning Administrator shall send his recommendations to the Town Manager for approval, approval with conditions, or disapproval of the final plat. If the final plat is in compliance with this chapter, the Town Manager or the Town Planner shall approve the plat with or without conditions.

(4) If the Town Manager disapproves the final plat, he/she shall state in writing his/her reasons for such action, specifying the provisions of this chapter with which the plat does not comply. One copy of this statement shall be transmitted to the subdivider within five working days of disapproval; and one copy each shall be retained by the Zoning Administrator and the Town Manager as part of this proceeding.

(5) Appeal from the Town Manager=s ruling shall be by petition to the Town Council to be heard at their regularly scheduled meeting following the Town Manager=s written ruling.

(6) The original tracing and one paper print of the final plat shall be returned to the subdivider. One paper print shall be retained in the Manager's office.

(7) The subdivider shall file the approved final plat with the Washington County Register of Deeds for recording within 60 business days after the date of final approval; otherwise, such approval shall be null and void. Additionally, one copy of the final plat shall be an original drawn in ink on linen or film, suitable for reproduction. Four copies shall be black or blue line print, and shall also be on diskette in DXF (Digital Exchange Format), version CAD 14 or the electronic format compatible to existing town requirements. No Zoning Compliance Certificates will be issued until the provisions of this section are complied with.

(8) The approval of a final plat shall not be deemed to constitute or affect the acceptance by the town of any dedication shown on the plat. However, the Town Council, by resolution, may accept any dedication made to the public of lands or facilities for parks or other public purposes, when the lands or facilities are located within its

subdivision regulation jurisdiction. Acceptance of dedication of lands or facilities located within the subdivision regulations jurisdiction shall not place on the town any duty to open, operate, repair or maintain the land or facility.

(9) Any minor subdivision approved and filed pursuant to this subsection shall be reported in writing to the Planning Board and Town Council within 60 days of its filing with the County Register's Office by the Town Planner/Zoning Administrator or Town Manager.

' 155.63 MAJOR SUBDIVISION REVIEW PROCESS.

(A) *Purpose.* The Major Subdivision review process provides for a more comprehensive analysis of the proposed subdivision. The process is lengthier and more involved due to the likely impact of a larger subdivision on the town, its surroundings, resources, utilities, infrastructure, service requirements, environment, and roadways, both proposed and existing, all of which must be carefully reviewed and analyzed. The review process allows for determining and minimizing any adverse effects and assures quality development.

(B) *Definition.* Major subdivisions shall include any subdivision other than that which meets the definition of minor subdivision. (See ' 155.62(B))

(C) *Preliminary plat review (i.e., number of copies, fee, and time frame).*

(1) The owner, subdivider, and/or his/her agent shall pay the fee, and submit 15 copies of the application, preliminary plat, and any supplementary materials to the Zoning Administrator at least 35 business days prior to the Planning Board meeting at which said plat is to be considered.

(2) *Content of plat.* The preliminary plat shall be prepared and sealed by a North Carolina Professional Registered Land Surveyor. It shall be drawn to the scale of one inch to 100 feet. Sheet sizes shall be no smaller than 12 inches by 18 inches, and no larger than 18 inches by 24 inches, and in accordance with the standards and practices of the Washington County Register's Office. The plat shall contain the following information:

(a) The proposed subdivision name, the boundaries, north point, legend, date, revision date, and purpose if applicable, scale, title block, and certifications. (The proposed name shall not duplicate the name of any previously recorded subdivision.)

(b) The name(s), address(es) of the land owner(s), subdivider, mortgagee, North Carolina Professional Registered Land Surveyor, as well as the telephone numbers of any other professionals engaged in the design of the subdivision.

(c) The existing and proposed uses of the land within the subdivision, and adjoining it, along with any structures contained thereon, if located within an area of special flood hazard, as identified by the Federal Emergency Management Agency, the location of the base flood elevation shall be indicated. A drainage plan and calculations, including description of the effects of a 100-year storm.

(d) The location of existing and platted property lines, streets, buildings, water courses, railroads, transmission lines, sewers, bridges, culverts, storm drains, water mains, and any public utility easements, both on the land subdivided and on the land immediately adjoining.

(e) The boundary lines of the tract to be subdivided drawn accurately with all bearings and distances shown.

(f) Existing structures and wooded areas and/or farmland areas, marshes, and any peculiar, natural conditions affecting the site and/or proximate to the proposed subdivision.

(g) Name(s) and addresses) of adjoining property owners or subdivisions.

(h) Zoning classification, with use, if any, both of the land to be subdivided and of adjoining land.

(i) Existing and proposed lines of streets, lots, easements, reservations, dedications, and public or common areas within the subdivision, and sufficient information to determine the location, direction, and length of every street, cul-de-sac, lot line, easement, reservation, dedication, and boundary line, and to establish those lines on the ground.

(j) The total acreage of the proposed subdivision and layout of lot arrangement, including lot and block lines, lot dimensions, and block and lot numbers;

(k) Proposed streets, existing and platted streets on adjoining properties, and in the proposed subdivision, designated either public or private, indicating right-of-way and/or easement depths, pavement widths, and centerline curve or corner radius data, including site distances, and typical street cross sections.

(l) Plans for proposed utility layouts, including sanitary sewers, storm sewers, water distribution lines, street lighting, telephone electric service, illustrating connections to existing systems, or plans for individual water supply systems and/or sewer disposal systems, showing line size accompanied by preliminary approval from Washington County Health Department, and location of fire hydrants and manholes; Each subdivision within town limits shall be located within 500 feet of at least a six inch water line and fire hydrant (size to be

determined by the Fire Chief and/or Town Engineer). All fire hydrants shall be installed in accordance with the town's existing policy.

(m) Other proposed rights-of-way or easements, location, width, or purpose.

(n) Proposed minimum building setback lines.

(o) Contours with vertical intervals of two feet or less.

(p) Proposed location and size of parks, school sites, or other public open spaces, if any.

(q) Sketch vicinity map showing relationship between subdivision and surrounding area.

(r) The preliminary plat shall be accompanied by a copy of any proposed deed restrictions or restrictive covenants.

(s) The location of all Areas of Environmental Concern (AEC) within the subdivision.

(D) *Review by interested agencies.* The Zoning Administrator shall check the plat for compliance with town ordinances and distribute prints of the proposed subdivision to any governmental agency or agencies having a specific interest in the subdivision for their comments or recommendations, including where applicable but not limited to the Washington County Health Department, the North Carolina Department of Transportation, the Land Resources Division of the North Carolina Department of Environment and Natural Resources, the USDA Natural Resources Conversation Service, the U.S. Postal Service, Washington County Schools, Fire Chief, Police Chief, Town Engineer, other appropriate town staff; Planning Board Chairman, County Water Management Supervisor (applicable only in extraterritorial jurisdiction), and Local CAMA Permit Officer to determine if the property lines are within designated Area of Environmental Concern (AEC) and the permits which are applicable. The Zoning Administrator shall consolidate such recommendations and present them, together with his own, to the Planning Board.

(E) *Planning Board review.* The Planning Board shall review the preliminary plat and shall recommend approval, conditional approval with recommended changes or disapproval with reasons. The Zoning Administrator shall then request the Town Clerk to place the Planning Board review of the preliminary plat on the agenda of the next regular meeting of the Town Council.

(F) *Review by Town Council.* The Town Council shall review the preliminary plat with the recommendations of the Planning Board and shall approve, conditionally approve, or disapprove the plat within 90 business days after submission. If the Town Council fails to act within 90 business days, the plat shall be deemed approved.

(1) *Approval.* If the Town Council approves the preliminary plat, such approval shall be noted on three copies of the plat, one copy to be returned to the subdivider and two copies to be kept in the permanent records of the Planning Department and Town Manager's Office.

(2) *Conditional approval.* If the Town Council recommends approval of the preliminary plat conditioned on modifications being made to bring the plat into compliance, it shall retain two copies of the originally submitted preliminary plat with its certificate that the plat will be approved when the conditions noted are met and shall return one copy to the subdivider with its written conditions for approval. The subdivider shall have 60 business days in which to make the changes needed to bring the plat into compliance. The subdivider shall submit three copies of the corrected plat to the Zoning Administrator who will review it to ensure that the recommended changes have been made and who will place review of the corrected plat on the agenda for the next Town Council meeting. If the preliminary plat has been properly amended, the Town Council will certify the plat as approved. If the subdivider fails to resubmit the plat within 60 business days or has not submitted a plat with adequate modification as required by the Town Council within 60 business days, then the subdivider must resubmit a proper preliminary plat to the Zoning Administrator and begin the preliminary plat approval process again, including payment of fees, before approval can be given.

(3) *Disapproval.* If the preliminary plat is disapproved by the Town Council, the reasons for such disapproval shall be stated in writing, specifying the provisions of this chapter with which the subdivider has not complied in the preparation of his/her plat. One copy of such reasons and one copy of the plat shall be retained in the permanent records of the Town Council. One copy of the reasons and one copy of the plat shall be returned to the subdivider. A subdivision plat resubmitted after being disapproved by the Town Council shall be treated as a newly submitted plat, and begins the preliminary plat approval process again, including payment of fees.

(G) *Final plat review.*

(1) *Submission required within 12 months.* Within 12 months after approval of the preliminary plat, the subdivider or his agent shall submit to the Zoning Administrator five copies of the final plat, unless an extension of time for submission of the final plat is requested from and allowed by the Planning Board. If a final plat is not submitted or extension of time allowed within 12 months of approval of the preliminary plat, the preliminary plat shall become null and void.

(2) *Content of plat.* The final plat shall be prepared and sealed by either a North Carolina registered surveyor or engineer. The final plat shall be drawn at a scale of one inch to 100 feet or larger, on sheets 20 inches by 24 inches, and shall conform to the preliminary plat as it was approved. One copy of the final plat shall be an original drawn in ink on linen or film suitable for reproduction. Four copies shall be black or blue line prints, and shall also be on diskette in DXF (Digital Exchange Format), Version CAD14

or the electronic format compatible to existing town requirements. The final plat shall show the following information:

(a) The exact boundary lines for the tract to be subdivided fully dimensioned by length and bearings, and the location of intersecting boundary lines of adjoining lands, with adjacent subdivisions identified by official names and recording data.

(b) The accurate locations and descriptions of all monuments, markers, and control points.

(c) Sufficient engineering data to determine readily and reproduce on the ground every straight or curved boundary line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles and tangent distances for the center line of curved streets and curved property lines that are not the boundary of curved streets. All dimensions shall be measured to the nearest 1/100 of a foot and all angles to the nearest 30 seconds.

(d) The location, with a metes and bounds description, of all rights-of-way, reservations, easements, and areas to be dedicated to public use with the purpose of each stated.

(e) The accurate location, purpose, and dimensions of areas to be used for purposes other than residential and public.

(f) The blocks numbered consecutively throughout the entire subdivision and lots with dimensions numbered consecutively throughout each block.

(g) Right-of-way lines, widths, pavement widths, and names of all streets and location and widths of all adjacent streets and easements.

(h) The name of the subdivision, the names and addresses of the owner/subdivider and North Carolina registered engineer or surveyor, and any other professional engaged in the plan design.

(i) The date of the survey and plat preparation, a north arrow indicating whether true north or magnetic, graphic scale, legend, title block, revision dates, if any, and purpose.

(j) The deed restrictions proposed for the subdivision must accompany the final plat, if any.

(k) A statement explaining the status of the streets and a copy of any maintenance agreement regarding streets shall be submitted with the final plat.

(l) Sketch vicinity map showing the location of the subdivision in relation to the surrounding area.

- (m) Proposed minimum building setback lines.
- (n) Proposed location and size of parks, school sites, or other open public spaces, if any.
- (o) Any other information considered by either the subdivider or the Planning Board to be pertinent to the review of the final plat.
- (p) The location of all Areas of Environmental Concern (AEC) within the subdivision.
- (q) The following signed certificates shall appear on each of the five copies of the final plat that are submitted to the Planning Board by the subdivider.

1. Certificate of ownership and dedication. The following shall be placed on the final plat and signed by the owner(s) of the subdivision:

I (We), hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent; established minimum building setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements to public or private use as noted. Furthermore, I (we) dedicate all sewer and water lines to the Town of Plymouth and certify the land as shown hereon is within the planning jurisdiction and subject to the subdivision ordinance of the Town of Plymouth, North Carolina.

Date

Owner(s)

Date

Owner(s)

North Carolina, Washington County

I, a Notary Public of the County and State aforesaid, certify that the owner(s) listed above personally appeared before me this day and acknowledge the execution of the foregoing instrument, witness my hand and official stamp or seal, this _____ day of _____, _____.

Notary Public

My Commission Expires: _____

2. Certificate of approval for recording. The following certificate shall be placed on the final plat for endorsement by the Town Clerk:

I hereby certify that the subdivision plan shown hereon, has been found to comply with the subdivision ordinances of the Town of Plymouth, and further, that this plan has been approved by the Town Council for recording in the office of the Register of Deeds of Washington County within thirty (30) days of the date of this certificate.

Date

Town Clerk

Seal

3. Certificate of Review Officer.

North Carolina, Washington County

I, _____, Review Officer of Washington County, certify that this map or plat to which this certification is affixed meets all statutory requirements for recording.

Date

Review Officer

Map: _____ Book: _____

4. Certificate of accuracy.

I, _____, certify that this plat was drawn under my supervision from (an actual survey made under my supervision) (deed description recorded in Book _____, Page _____, etc.) (other); that the ratio of precision as calculated by latitudes and departures is 1/_____; that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____, Page _____; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number, and seal this _____ day of _____, (2001, 2002, etc.).

Surveyor

Seal or Stamp

Registration Number

5. Certificate of approval of the design and installation of streets, utilities and other required improvements.

I hereby certify that all streets, utilities and other required improvements have been installed in an acceptable manner and according to town specifications in _____ Subdivision.

Date

Town Manager

6. Certificate of public street design approval.*

I (We) hereby certify that the design of the proposed subdivision street(s) shown on this plat complies with the current minimum construction standards for subdivision roads of the North Carolina Department of Transportation, Division of Highways/Town of Plymouth.

Date

District/Town Engineer

**This certification, depending on the circumstances, may or may not be applicable.*

7. Street maintenance disclosure.*

Maintenance of the public street(s) shown on this plat is (are) intended to be the responsibility of the N.C. Department of Transportation/Town of Plymouth, provided that all requirements for acceptance are met. Until such time as the N.C.D.O.T./Town of Plymouth accepts the street(s), I (we) will provide for necessary maintenance. (NOTE: This statement shall not serve as a substitute for any other statutory disclosure requirements.)

Date

Owner(s)

**This certification, depending on the circumstances, may or may not be applicable.*

8. Coastal Area Management Act Certificate.*

The area designated hereon is in part located within, is in totality (located within/is not located within) an Area of Environmental Concern, and (requires/does not require) a CAMA Permit prior to construction of improvements.

Date

Coastal Area Management Act Permit Officer

**This certification, depending on the circumstances, may or may not be applicable.*

No final plat shall be approved until the subdivider has installed in the area represented on the final plat all improvements required by this chapter, including, but not limited to, the plans for utility layout, sanitary sewers, storm sewers, water distribution lines, natural gas, telephone and electric service, illustrating connections to existing systems or plans for individual water supply systems and/or sewerage disposal systems. Plans must show line sizes, the location of fire hydrants, blow-offs, manholes pumps forcemains and gate valves, or shall have guaranteed their installation as provided in this Code. The town shall not require a developer, as a condition to subdivision approval, to bury a power line existing above ground and outside of property to be subdivided. No property shall be sold or deed registered by the Washington County Register of Deeds before the subdivider provides a proof of filing to the Town Council that as-built plans have been filed with the Town Clerk and a final plat has been approved and recorded in the Registry of Deeds pursuant to this chapter.

(3) *Improvements installed before approval.* In lieu of prior completion of the improvements, the town may, for the purpose of approving a final plat, accept a guarantee from the developer that improvements shown on the preliminary plat will be completed at the expense of the developer. The guarantee provided by the developer to the town will be one of the following:

- (a) A surety bond made by a surety company licensed to do business in North Carolina;
- (b) A certified check drawn in favor of the town;
- (c) Cash deposited with the town;
- (d) An irrevocable letter of credit (in form and content approved by the town).

(4) Such guarantees shall equal 125% percent of the cost of improvements as determined by a North Carolina registered professional engineer and verified by the town=s consulting engineer. Performance guarantees shall be approved by the Planning Board and the Town Council. Guarantees shall run for 12 months. As 25%, 50%, 75% and 100% of the project is completed, a corresponding percentage of the guarantee may be released.

(H) Repealed

(I) *Planning Board review.* The final plat shall be reviewed by the Planning Board for conformance to the approved preliminary plat within 25 days of its submission or at its next regular meeting, whichever is later. The Planning Board may appoint an engineer to check the final plat against the subdivision=s actual layout for correctness, charging the costs to the subdivider.

(J) *Approval of final plat.* If the final plat is in compliance with this chapter or the Planning Board approves the change made from the approved preliminary plat, the Planning

Board shall approve the final plat. Such approval shall be indicated on each copy of the plat by the following signed certification.

Certificate of Approval for Recording

I/We, hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Town of Plymouth, North Carolina, and that this plat has been approved by the Planning Board of the Town of Plymouth for recording in the office of the Register of Deeds of Washington County.

Date

Chairman of Plymouth Planning Board

Upon execution of the afore referred Certificate of Approval for Recording, the Planning Board shall forward the plat to the Town Council for review and disposition prior to the Town Clerk executing his/her Certificate of Approval for Recording.

(K) *Disapproval of plat.* If the Planning Board recommends disapproval of the final plat, the reasons shall be stated in writing, specifying the provisions of this chapter with which this plat does not comply. One copy of this statement shall be transmitted to the subdivider within 15 business days of recommended disapproval. One copy of the statement and one copy of the final plat shall be retained by the Planning Board as part of its permanent record and one copy of the statement and plat shall be forwarded to the Town Council for review and disposition.

(L) *Final plat recordation.* The subdivider shall file the approved final plat with the Washington County Register of Deeds within 60 days after the date of the Planning Board approval; otherwise, such approval shall be null and void. One copy of the approved final plat marked filed by the Washington County Register of Deeds shall be returned to the Town Manager to be kept in the town's permanent files.

' 155.64 SUBDIVISION REVIEW AND ADMINISTRATIVE CONTROL.

(A) *Administrative officer.* The Town Manager will act as the primary administrative and review officer in the implementation of this chapter.

(B) *Subdivision review sheet.* The form provided in ' 155.65 will act as the primary tool in the review of all subdivisions and the execution of steps involved in the implementation of this chapter.

' 155.65 SUBDIVISION REVIEW SHEET.

See following page.

Subdivision #
Origination Date

TOWN OF PLYMOUTH
SUBDIVISION REVIEW SHEET

I. GENERAL DATA

- A. NAME OF OWNER _____ PHONE _____
ADDRESS _____
- B. NAME OF APPLICANT _____ PHONE _____
ADDRESS _____
- C. ADDRESS, TAX ID NUMBER, PIN NUMBER, AND GENERAL LOCATION OF
SUBDIVISION _____

- D. TOTAL ACREAGE _____
- E. NUMBER OF LOTS _____
- F. TAX MAP (IDENTIFIER NUMBER) _____
- G. ZONING (IDENTIFIER CLASS) _____
- H. ADJOINING PROPERTY HOLDERS

Name Address

Name Address

Name Address

I. GENERAL DESCRIPTION OF PROPOSED DEVELOPMENT

- J. CONTACTS
- ATTORNEY _____ PHONE _____
ADDRESS _____
- SURVEYOR _____ PHONE _____
ADDRESS _____
- OTHER _____ PHONE _____
ADDRESS _____

II. TYPE OF SUBDIVISION

MAJOR [More than four (4) lots]	Yes	No
MINOR [Four (4) lots or less]	Yes	No

III. TYPE OF RESIDENTIAL DEVELOPMENT

MULTI-FAMILY UNITS	Yes	No
SINGLE-FAMILY UNITS	Yes	No
MIXED RESIDENTIAL	Yes	No

IV. CONDITIONS FOR APPROVAL

CONFORMANCE WITH ZONING PLAN	Yes	No
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V. REVIEW PROCESS

A. SKETCH PLAT

Approved _____ Date _____
Approved Conditionally _____ Date _____
Disapproved _____ Date _____
Date of Submittal _____
Nature of Revisions (if applicable) _____

B. PRELIMINARY PLAT REVISIONS

Approved _____ Date _____
Approved Conditionally _____ Date _____
Disapproved _____ Date _____
Date of Submittal _____
Nature of Revisions (if applicable) _____

C. FINAL PLAT REVISIONS

Approved _____ Date _____
Approved Conditionally _____ Date _____
Disapproved _____ Date _____
Date of Submittal _____
Nature of Revisions (if applicable) _____

VI. FINAL DISPOSITION

PLANNING BOARD ACTION

Approved By Planning Board _____ Date _____
Approved Conditionally By Planning Board _____ Date _____
Disapproved By Planning Board _____ Date _____

TOWN COUNCIL ACTION

Approved By Town Council _____ Date _____
Approved Conditionally By Town Council _____ Date _____
Disapproved By Town Council _____ Date _____

OTHER ACTION

REVIEW OFFICER _____ DATE _____

' 155.66 EXPEDITED SUBDIVISION REVIEW PROCESS

(A) Pursuant to G.S. 160D-803(c), certain subdivisions only require a plat for approval by the Subdivision Administrator if they meet the criteria below:

- (1) It is not exempt per G.S. 160D-802(a)(2).
- (2) No portion of the land has been divided as an expedited subdivision in the past ten (10) years.
- (3) The subdivided area is greater than five (5) acres.
- (4) There are no more than three (3) lots created.
- (5) The created lots meet size requirements for any other land use regulations.
- (6) The created lots are used in a manner consistent with any zoning requirements.
- (7) The created lots have a permanent means of ingress and egress.

DESIGN AND CONSTRUCTION STANDARDS

' 155.70 GENERAL.

(A) Each proposed subdivision shall include and contain the improvements specified in this subchapter, the Town Zoning Ordinance, applicable municipal ordinances, and state statutes, to the extent required. They shall be installed in accordance with the requirements of this chapter and as stated in the sentence immediately next preceding, and paid for by the subdivider, unless other means of financing is specifically stated in this chapter or the regulations set forth previously in this paragraph. Land shall be dedicated and reserved in each subdivision as may be required by the town. Each subdivision shall adhere to the design standards established by the town, as enunciated in this chapter and the Zoning Ordinance of the town, and other municipal ordinances to the extent applicable.

(B) The subdivider shall observe all design standards for land subdivision as herein provided and provided elsewhere in applicable municipal ordinances and state statutes/regulations. These standards shall be considered minimum standards and shall be varied from or waived only as provided in " 155.60 through 155.65.

(C) Land that the municipality finds to be unsuitable for subdivision or development due to flooding, environmental concerns, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features that will reasonably

be harmful to the safety, health and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas shall not be subdivided or developed unless and until adequate methods are formulated by the developer and approved, in writing, by the Town Planning Board and Town Council, upon written recommendation of the Town Engineer, to solve the problems created by the unsuitable conditions. Such land shall be set aside for uses as shall not involve any danger to public health, safety, and welfare.

(D) Design guides.

(1) *Minimum lot size.* All lots created after the date of adoption of this chapter shall conform to or exceed a minimum lot size as required by the Town Zoning Ordinance, and other applicable municipal ordinances, as amended and supplemented.

(2) *Mitigation.* Design and construction shall reduce, to the extent reasonably possible, the following:

- (a) Volume of cut and fill;
- (b) Area over which existing vegetation will be disturbed; especially on land adjoining a wetland, river, pond, or stream, or overlying easily eroded soils;
- (c) Number of mature trees or percentage of tree cover removed;
- (d) Extent of waterways altered or relocated;
- (e) Number of driveways exiting onto existing streets;
- (f) Alteration of groundwater or surface water elevations or chemical constituents;
- (g) Disturbance of important wildlife habitats, outstanding botanical features, and scenic or historic envisions; and
- (h) Soil loss or instability during and after construction (as per G.S. ' 113A 50).

(3) *Enhancement.* Design and construction shall increase, to the extent reasonably possible, the following:

- (a) Vehicular use of collector streets to avoid traffic on streets providing house frontage;
- (b) Visual prominence of natural features of the landscape;
- (c) Legal and physical protection of views from public streets.

(E) Access adequacy. Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as determined by the Fire Chief

and Police Chief, as well as for all those likely to need or desire access to the property in its intended use.

(F) Easements. Easements shall be provided as follows:

(1) *Utility easements.* Written easements, with metes and bounds descriptions, for underground utilities shall be provided, where necessary, in or adjacent to street right-of-ways and shall be at least ten feet wide for municipal utilities, including but not limited to, water, sanitary sewer and electric lines, and as required by the companies involved for other utilities. Easements shall be provided where necessary along lot lines. The Town Council will determine whether one easement is sufficient or whether several easements are necessary to accommodate the various utilities and the subdivider shall provide the required easements at no cost to the town. These requirements may be modified only by written approval from the Town Council where a Planned Unit Development is involved.

(2) *Drainage easements.* Where a subdivision is traversed by a watercourse, drainage way, channel, swale, stream, or contains a water storage area or facility, there shall be provided, at no cost to the town, a storm water easement or drainage right-of-way of adequate width to conform substantially to the lines of said feature, and to provide for the possibility of flooding, protection of banks on adjacent properties, future maintenance and/or construction, and other necessary purposes. The width of said easement and/or right-of-way will be determined by the town in so far as sufficiency for its/their intended purposes. To the extent practicable, easements shall be along lot lines.

(3) *Access, maintenance, and/or construction easements.* The town, in the interest of its public health, safety, and welfare, may as a condition of approving a subdivision, require a permanent access, maintenance, and/or temporary construction easement on and over the property, which is the subject matter of the subdivision. The obtaining of these easements, as may be required, shall be at no cost to the town.

(4) *Type of easement.* All easements as depicted on a preliminary and/or final plat shall be so delineated on the preliminary and/or final plat as to the type of easement and shall contain a metes and bounds description.

(5) *Easements, appurtenances/utility boxes and/or related structures.* Where utility boxes or easement appurtenances and/or related structures are deemed necessary, it shall not be located directly in front of the dwelling, and shall be screened by plantings, blocking their view from both dwelling and street. Said planting and/or screening is the obligation of the developer and/or purchaser of the property, and shall be installed prior to the Certificate of Occupancy being issued.

' 155.71 STREETS.

(A) To insure consistent quality and long-term maintenance, all streets or roads created after the date of this chapter shall be paved and dedicated as public streets or roads. The streets or roads shall conform to the minimum construction standards for subdivision roads as described by the North Carolina Department of Transportation Minimum Construction Standards for Subdivision Roads promulgated 2000 or later and/or with town requirements, whichever of the two is more stringent.

(B) Where the offer of dedication of a street is not to be accepted by the town or the state, at substantially the same time as the final plat approval, a written agreement with provisions acceptable to the Town Council for maintenance of the street shall be executed and made a part of the preliminary plat by being included by reference therein.

(C) All streets shown on the final plat shall be designated in accordance with G.S. ' 136 102.6, as amended and supplemented, and designation as public shall be conclusively presumed an offer of dedication to the public. Where streets are dedicated to the public but not accepted into a municipal or state system, a written statement explaining the status of the streets shall be included with the final plat.

(D) Design and layout (temporary streets, during construction, and permanent streets). The arrangement, character, extent, width, grade, and location of all streets shall be considered in their relation to existing and planned streets, to topographical and soil conditions, to public convenience and safety and in their appropriate relation to the proposed use of the land to be served by such streets.

(1) *Coordination with surrounding streets.* The proposed street layout within a subdivision shall be coordinated with the existing street system of the surrounding area and where possible, existing principle streets shall be extended.

(2) *Access to adjacent property.* Where the subdivision adjoins property susceptible to being subdivided, streets shall be carried to the boundaries of the tract proposed for subdivision. Temporary turn-arounds shall be provided. Reserve strips prohibiting access to streets or adjoining property shall not be permitted.

(3) *Street intersections.*

(a) Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than 60 degrees.

(b) Centerline offsets for intersecting streets shall not be less than 150 feet.

(c) Through traffic discouraged on minor collector, frontage road, and local streets. Local streets shall be laid out in such a way that their use by through traffic will be discouraged. Streets shall be designed or walkways dedicated to

assure convenient access to parks, playgrounds, schools, or other places of public assembly.

(4) *Cul-de-sacs.* Permanent dead-end streets shall not exceed 500 feet in length unless necessitated by topography or property accessibility and in no case shall be permitted to be over 900 feet. Measurement shall be from the point where the centerline of the dead end street intersects with the center of a through street to the center of the turn-around of the cul-de-sac. Where one cul-de-sac intersects with another cul-de-sac, the end of each cul-de-sac shall be no more than 500 to 900 feet from a through street, measured as stated above. The distance from the edge of the pavement on the vehicular turn-around to the right of way line shall not be less than the distance from the edge of the pavement to the right-of-way line on the street approaching the turn-around. Cul-de-sacs shall not be used to avoid connection with an existing street or to avoid the extension of an important street.

(5) *Half streets.* Half streets (i.e., streets of less than the full required right-of-way and pavement width) shall not be permitted except where such streets, when combined with a similar street (developed previously or simultaneously) on property adjacent to the subdivision creates or comprises a street that meets the right-of-way and pavement requirements of this chapter.

(6) *Block standards.* Block lengths, widths and areas within bounding roads shall be such that:

(1) Adequate building sites suitable to the contemplated zoning use are provided;

(2) Minimum lot dimensions are as set forth in municipality zoning ordinance; and

(3) Lengths between intersecting stretches do not exceed 1,200 feet or are not less than 400 feet.

(4) Sufficient widths are provided to allow two tiers of lots except where single-tier lots are required to separate development from through traffic, water areas, common areas or public property.

(7) *Lot standards.* Lots shall be designed such that:

(1) Locally designated minimum lot dimensions as set forth in municipal zoning ordinances are met or exceeded as to each lot. Conformity to this zoning requirement means, amongst other things, that the smallest lot in the subdivision must meet all the dimensional requirements of the zoning ordinance. It is not sufficient merely for the average lot to meet the zoning requirements; and

(2) Double frontage lots shall be avoided except where essential to provide residential separation from through traffic or other incompatible uses.

(8) *Driveways.* Driveways shall be developed according to the N.C. Department of Transportation's Policy on Street and Driveway Access on North Carolina Highways and/or town regulations, as amended and supplemented, whichever is applicable and/or more stringent.

(9) *Street names and house numbers.* Street names shall be assigned by the developer subject to the pre-approval of the Town Manager and approval of the Washington County 9-1-1 Emergency Management as to names and numbers. Proposed streets that are obviously in alignment with existing streets shall be given the same name. Newly created streets shall be given names that neither duplicate nor are phonetically similar to existing streets within the town's planning jurisdiction, regardless of the use of different suffixes. Building numbers shall be assigned by the town.

(10) *Sidewalks.* Sidewalks may be required by the Town Council on one or both sides of the street in areas likely to be subject to heavy pedestrian traffic such as near schools and shopping areas. Such sidewalks shall be constructed to a minimum width of four feet, and shall consist of a minimum thickness of four inches of concrete. Alternatively, an area sufficient in size for sidewalks is to be dedicated on the plan, which is to be recorded. All sidewalks shall be placed in the right-of-way, unless the development is platted as a planned unit or group development. Sidewalks shall consist of a minimum of six inches of concrete at driveway crossings.

(11) *Street name signs.* The subdivider shall be required to provide and erect, at no cost to the town, street name signs to town standards at all intersections within the subdivision. No Zoning Compliance Certificates shall be issued by the town until the street name signs are installed at no cost to the town, as required by this section.

(E) *Classification.* Streets within a subdivision shall be classed as noted in the Construction Standards for Subdivision Roads as promulgated 2000 or later by N.C. Department of Transportation and/or town regulations, whichever is applicable and/or more stringent.

(F) *Street and drainage requirements.* Streets shall be constructed with curb(s) and gutter(s) according to the Standards set by N.C. Department of Transportation, and/or the Town Engineer and approved, in writing, by the Planning Board. However, the Planning Board may permit six foot-wide shoulders and drainage swales in situations where topographic conditions make the installation of curb(s) and gutter(s) impermissible and/or highly impractical. The shoulder(s) and drainage swale(s) shall be approved, in writing, by the Town Council or its designee.

(G) *Private streets.* Except as provided in this section, all lots created after the effective date of this chapter shall abut a public street. No new final plat shall be recorded showing private streets.

(H) *Construction.* The design and construction of all streets within the jurisdiction of this chapter shall be in accordance with the accepted policies of the N.C. Department of Transportation (D.O.T.). The standards contained in the most recent edition of the D.O.T.'s

Construction Standards for Subdivision Roads shall apply for any items not included in this chapter, or where stricter than this chapter.

(1) *Clearing and grubbing.* Clearing and grubbing shall be performed to remove stumps, brush, roots, and like material from the area of the traveled way, shoulder, sidewalks, utility trenches, but elsewhere wherever feasible, as determined by the town, existing vegetation shall be protected.

(2) *Grading.* Rights-of-way and roadways shall be graded in accordance with the standards and specifications of the D.O.T.'s, Minimum Construction Standards for Subdivision Roads as amended and supplemented, shall apply for any items not included in this chapter, or where stricter than this chapter.

(3) *Street base.* All roadways shall be improved with a base course to the required width of the D.O.T. All construction and materials shall meet the standards and specifications of the N.C.D.O.T., to the extent not provided for in this chapter, or where stricter than this chapter.

(4) *Street surface.* All streets shall be paved. The asphalt surface course shall meet the standards and specifications of the N.C.D.O.T., to the extent not provided for in this chapter, or where stricter than this chapter.

(5) *Curb and gutter.* Where curb and gutter is provided, such improvements shall meet the standards and specifications of the N.C.D.O.T., to the extent not provided for in this chapter, or where stricter than this chapter.

(6) *Culvert pipe.* All culvert pipe and pipe under drains shall be installed to the standards and specifications of the N.C.D.O.T., to the extent not provided for in this chapter, or where stricter than this chapter.

(7) *Right-of-way widths.* Right-of-way widths shall be shown in the Street Classification Table.

(8) *Street widths.* All streets shall be curbed and guttered with widths as shown in the Street Classification Table, except in the extraterritorial jurisdiction area. In the extraterritorial jurisdiction area, curb and gutter shall be required unless a North Carolina Registered Engineer prepares an alternate plan of drainage and certifies that the plan will properly remove water from the streets without curb and gutter, which plan of drainage must be reviewed and recommended for approval, in writing, by the Town Engineer to the Town Manager, who will make the ultimate decision with regard to requiring curb and gutter. The street may then be a minimum width of 20 feet from edge of pavement to edge of pavement in a 60 foot minimum right-of-way. The minimum cul-de-sac radius shall be 40 feet for pavement of curb and gutter.

[Street Classification Table appears on the following page.]

STREET CLASSIFICATION TABLE

<i>Street Classification</i>	<i>R/W or Easement*</i>	<i>Pavement Width</i>	<i>Average Daily Traffic</i>	<i>No. of Dwellings</i>
Private Drive	50*	28 B/B	< 400	< 70
Frontage Road	50	28 B/B	< 240	< 20
Minor Collector	60	36 B/B	240 - 3500	20 - 400
Major Collector	70	50 B/B	3500 - 5000	> 400
Minor Thoroughfare	80	65 B/B	5000 - 10,000	N/A
Major Thoroughfare	100+	Variable	< 10,000	N/A

(9) *Relationship to Greenway Plan.* If any portion of the area proposed for subdivision lies within an area designated in the officially adopted greenway master plan as a greenway corridor, the area so designated shall be dedicated and/or reserved to the public at the option of the town.

' 155.72 STORM WATER MANAGEMENT.

(A) The Planning Board shall not recommend for approval any plat of subdivision that does not make adequate provision for storm and flood water runoff channels or basins. The storm water drainage system shall be separate and independent of any sanitary sewer system. Storm sewers, where required, shall be designed by the Rational Method, or other methods as approved by the Planning Board, and a copy of design computations shall be submitted along with plans. Inlets shall be proved so that surface water is not carried across or around any intersection, nor for a distance of more than 600 feet in the gutter. When calculations indicate that curb capacities are exceeded at a point, no further allowance shall be made for flow beyond that point, and basins shall be used to intercept flow at that point. Surface water drainage patterns shall be shown for each and every lot and block.

(B) The subdivider shall provide an adequate drainage system for the proper drainage of all surface water, which complies with N.C.A.C. Title 15, Chapter 4, Sedimentation Control and N.C.A.C. Title 15, 2H.1000, Stormwater Runoff Disposal. The design of such a system shall be subject to the written approval of the N.C. Division of Land Resources and the Town Engineer.

(C) Nature of storm water facilities.

(1) *Location.* The applicant may be required by the Planning Board to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, as determined by the town, or in perpetual unobstructed easements of appropriate width, and shall be constructed in accordance with the generally accepted construction standards and specifications of the town, or the state, whichever is more stringent.

(2) *Accessibility to public storm sewers.*

(a) Where a public storm sewer is accessible, the applicant shall, at no cost to the town, install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of storm waters, subject to the specification of the Town Engineer. However, in subdivisions containing not less than 15,000 square feet in area and in business and industrial districts, underground storm sewer systems shall be constructed throughout the subdivisions and be conducted to an approved out-fall. Inspection of facilities shall be conducted by the Town Engineer.

(b) If a connection to a public storm sewer will be provided eventually, as determined by the Town Engineer and the Planning Board, the developer shall make arrangements for future storm water disposal by a public utility system at the time the plat receives final approval. Provision for such connection shall be incorporated by inclusion in the subdivision improvement agreement required for the subdivision plat.

(3) *Accommodation of upstream drainage areas.* A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The Town Engineer shall determine the necessary size of the facility, based on the provisions of the construction standards and specifications assuming conditions of maximum potential watershed development permitted by the zoning ordinance and/or other applicable municipal ordinances.

(4) *Effect on downstream drainage areas.* The Town Engineer shall also study the effect of each subdivision on existing downstream drainage facilities outside the area of the subdivision. Local government drainage studies together with such other studies as shall be appropriate, shall serve as a guide to needed improvements. Where it is

anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Planning Board may withhold approval of the subdivision until provision has been made for the expansion of the existing downstream drainage facility. No subdivision shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility.

(5) *Areas of poor drainage.* Whenever a plat is submitted for an area that is subject to flooding, the Planning Board may approve such subdivision provided that the applicant fills the affected area of the subdivision to an elevation sufficient to place the elevation of streets and lots at a minimum of 12 inches above the elevation of the 100 year floodplain, as determined by the Town Engineer. The plat of the subdivision shall provide for an overflow zone along the bank of any stream or watercourse, in a width that shall be sufficient in times of high water to contain or move the water, and no fill shall be placed in the overflow zone nor shall any structure be erected or placed in the overflow zone. The boundaries of the overflow zone shall be subject to approval by the Town Engineer. The Planning Board may deny subdivision approval for areas of extremely poor drainage.

(6) *Floodplain areas.* The Planning Board may, when it deems it necessary for the health, safety, or welfare of the present and future population of the area and necessary to the conservation of water, drainage, and sanitary facilities, prohibit the subdivision of any portion of the property that lies within the floodplain or any stream or drainage course. These floodplain areas shall be preserved from any and all destruction or damage resulting from clearing, grading, or dumping of earth, waste material, or stumps, except at the discretion of the Planning Board.

(D) Dedication to drainage easements.

(1) *General requirements.* When a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction as will be adequate for the purpose. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow.

(2) *Drainage easements.*

(a) Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual, unobstructed easements at least 15 feet in width for drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements, with metes and bounds descriptions, shall be indicated on the plat. Drainage easements shall extend from the road to a natural watercourse or to other drainage facilities.

(b) When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured, at no cost to the town, and indicated on the plat.

(c) The applicant shall dedicate, at no cost to the town, either in fee or by a drainage or conservation easement, land on both sides of existing watercourses to a distance to be determined by the Planning Board.

(d) Low-lying lands along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways. Such land or lands subject to periodic flooding shall not be computed in determining the number of lots to be utilized for average density procedures nor for computing the area requirement of any lot.

' 155.73 UTILITIES.

(A) *Water supply.*

(1) *Statement of purpose.* To reinforce compliance with the provisions set forth in ' 155.03. It is the goal, to the extent this requirement would not be confiscatory, that all future development be connected to municipal water and sewer systems.

(2) *Public supply standards.* All new subdivisions shall connect to the Town Public Water System if any perimeter property line is within a reasonable distance of an existing water line, as determined by the town. The cost of connection shall be in accordance with town ordinances as amended and supplemented.

(3) *Private supply standards.* Where a private community water supply system is proposed, the preliminary plat shall be accompanied by a letter of approval from the North Carolina Division of Health Services. Where individual lots will be served by private wells, this situation will be duly noted on the preliminary and final plat. Wells must be located at least 100 feet from any ground absorption system.

(4) *Design and construction.*

(a) Water mains shall be designed and installed according to the town specifications.

(b) Before installation, a complete set of construction plans and specifications for the proposed system, prepared and sealed by a North Carolina Registered Professional Engineer, shall be submitted for approval by the Planning Board or its designee and a copy submitted to the North Carolina Division of Health Services.

(c) Water supply systems shall be approved by the Town Council as to location and size of mains.

(d) Water mains shall not be less than six inches in diameter, except that smaller mains may be used on permanent dead-end streets upon approval of the Planning Board.

(e) The town may require installation of oversize mains when it is in the interest of future development. The town may pay for the portion of the improvement which exceeds the standards of this chapter.

(B) *Sewage disposal.*

(1) *Public disposal standards.* All new subdivisions shall connect to the Town Public Sewer System if any perimeter property is within a reasonable distance of an existing sewer line, as determined by the town. The cost of connection shall be in accordance with town ordinances as amended and supplemented.

(2) *Private disposal standards.* Where a private package treatment system is proposed, the preliminary plat shall be accompanied by a letter of approval from the North Carolina Department of Environmental Management. A land application system, rather than surface water discharging system, is required when a private package system is proposed. Where individual lots will be serviced by septic systems, the preliminary plat shall be accompanied by documentation that the site has undergone a preliminary evaluation by the County Health Department. The final plat shall be accompanied by certification that all lots intended for development have been approved for septic tank usage.

(3) *Design and construction.*

(a) Sewer mains shall be designed and installed according to the town specifications.

(b) Before installation, a complete set of construction plans and specifications for the proposed system, prepared by a registered professional engineer, shall be submitted for approval by the town or its designee and a copy submitted to the North Carolina Department of Environmental Management.

(c) The town may require installation of oversize mains when it is in the interest of future development. The town may pay for the portion of the improvement which exceeds the standards of this chapter.

(4) *Design criteria for sanitary sewers.*

(a) *General guidelines.* These design criteria are not intended to cover extraordinary situations. Deviations will be allowed and may be required in those instances when considered justified by the Town Engineer.

(b) *Design factors.* Sanitary sewer systems should be designed for the ultimate tributary population. Due consideration should be given to the existing land use plan, current zoning regulations, within this chapter, and other municipal

ordinances as to the extent applicable. Sewer capacities should be adequate to handle the anticipated maximum hourly quantity of sewage and industrial waste together with an adequate allowance for infiltration and other extraneous flow. The unit design flows presented below should be adequate in each case for the particular type of development indicated. Sewers shall be designed for the total tributary area using the wastewater flow rates established by the North Carolina Department of Environment and Natural Resources. Design flows shall be submitted to the Planning Board for all projects involving extensions or interconnections to the town system.

One- and Two-Family Dwellings	.02 cubic feet per second (c.f.s.)/acre
Commercial	
Small Stores, Offices, etc.	.02 c.f.s./acre
Shopping Centers	.02 c.f.s./acre
High Rise	As directed by Town Engineer

Industrial	As directed by Town Engineer
Apartments	
One and Two Story	.02 c.f.s./acre
Three through Six Story	.03 c.f.s./acre

These design factors shall apply to watersheds of 300 acres or less. Design factors for watersheds larger than 300 acres and smaller than 1,000 acres shall be computed on the basis of a linear decrease from the applicable design factor for an area of 300 acres to a design factor of .01 c.f.s./acre for an area of 1,000 acres unless otherwise directed by the Town Engineer. Design factors for watersheds larger than 1,000 acres shall be .01 c.f.s./acre unless otherwise directed by the Town Engineer.

(c) *Maximum size.* The diameter of sewers proposed shall not exceed the diameter of the existing or proposed outlet, whichever is applicable, unless otherwise approved by the Town Engineer.

(d) *Minimum size.* No public sewer shall be less than eight inches in diameter.

(e) *Minimum slope.* All sewers shall be designed in conformance with the standards established by the North Carolina Department of Environment and Natural Resources.

(f) *Alignment.* All sewers shall be laid with strait alignment between manholes, unless otherwise directed or approved by the Town Engineer.

(g) *Manhole location.* Manholes shall be installed at the end of each line; at all changes in grade, size, or alignment; at all intersections; and at distances not greater than 400 feet.

(h) *Manholes.* The difference in elevation between any incoming sewer and the manhole invert shall not exceed 12 inches except where required to match crowns. The use of drop manholes will require approval by the Town Engineer. The minimum inside diameter of the manholes shall conform to those specified by the Town Engineer. Inside drop manholes will require special considerations; however, in no case shall the minimum clear distance be less than that indicated above. When a small sewer joins a larger one, the crown of the smaller sewer shall not be lower than that of the larger one. The minimum drop through manholes shall be 0.1 feet.

(i) *Sewerage locations.* Sanitary sewers shall be located within street or alley rights-of-way unless topography dictates otherwise. When located in easements on private property, access shall be to all manholes. A manhole shall be provided at each street or alley crossing. End lines shall be extended to provide access from street or alley right-of-way when possible. Imposed loading shall be considered in all locations. Not less than six feet of cover shall be provided over the top of pipe in street and alley rights-of-way or three feet in all other areas.

(j) *Cleanouts and lampholes.* Cleanouts and lampholes will not be permitted.

(k) *Water supply interconnections.* There shall be no physical connection between a public or private potable water supply system and sewer which will permit the passage of any sewage or polluted water into the potable supply. Sewers shall be kept removed from water supply wells or other water supply sources and structures.

(l) *Relation of sewers to water mains.* A minimum horizontal distance of ten feet shall be maintained between parallel water and sewer lines. At points where sewers cross water mains, the sewer shall be constructed of cast iron pipe or encased in concrete for a distance of ten feet in each direction from the crossing, measured perpendicular to the water line. This will not be required when the water main is at least two feet above the sewer.

(C) Other utilities.

(1) *Wiring.* Underground wiring for electric, telephone, and cable TV is required unless the subdivider demonstrates, to the reasonable satisfaction of the town, that underground wiring is impractical due to soil characteristics and other local conditions.

(2) *Street lighting.* All public streets, sidewalks, and other community areas or facilities in subdivisions created after the effective date of this chapter shall be sufficiently illuminated, as determined by the town, to ensure the security and the safety of persons using such streets, sidewalks, and other common areas or facilities. To the extent that fulfillment of this requirement would normally require street lights installed along public streets, this requirement shall be applicable only to subdivisions located within the corporate limits of the town. The quantity, design, and location of all lighting shall be approved by the town.

' 155.74 OTHER IMPROVEMENTS.

(A) *Survey.* Survey, plat, monuments and control corners shall be provided in accordance with the latest edition of the Manual of Practice for Land Surveying in North Carolina by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors.

(B) *Wheelchair ramps.* Whenever curb and gutter construction is used on public streets, wheelchair ramps for the handicapped shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with the published standards of the N.C. Department of Transportation.

(C) *Shade trees.* Shade trees shall be preserved where possible; where they do not exist, the planting of appropriate trees is encouraged. Such trees shall be species which are resistant to damage and disease and which do not cause interference with utilities, street lighting or visibility at street intersections.

' 155.75 OTHER REQUIREMENTS.

(A) *Easements.* Reserved for future use, other than as otherwise herein set forth.

(B) *Clean-up.* Upon completion of the work, the subdivider shall remove from the street and adjoining property all temporary structures, debris, tree stumps, loose rocks, and surplus materials which may have accumulated during the process of the work, leaving the subdivision in a neat and orderly condition.