

Article V

SUBDIVISIONS: PROCEDURES AND STANDARDS

5-1 EXCLUSION DETERMINATION PROCEDURE

If a proposed division of land meets one or more of the exclusions under the definition of “Subdivisions” in Article II (Definitions), the owner may submit to the Planning Department maps, deeds, or other materials in sufficient detail to permit a conclusive determination by the Enforcement Officer.

5-2 COORDINATION WITH OTHER PROCEDURES

To lessen the time required to attain all necessary approvals and to facilitate the processing of applications, an applicant may start the subdivision approval process simultaneously with application for grading permits or other applications for approvals required for the particular project.

5-3 SUBMISSION OF PLANS

Applications for subdivision approval, including Group Development approval, shall be submitted to the Planning Department. Subdivisions requiring Technical Review Committee approval shall be presented to the Planning Department at least seven (7) day prior to the next scheduled meeting of the Technical Review Committee.

5-4 APPROVAL REQUIRED

5-4.1 Date of Compliance

After the effective date of this Ordinance, no plat for the subdivision of land within Gibsonville jurisdiction shall be filed, accepted for recording, or recorded, nor shall the Clerk of the Superior Court order the recording of a plat until it has been submitted to and approved by the Jurisdiction. (See definition of “Subdivision” in Article II for exclusions.)

5-4.2 No Conveyance Without Approval

No real property, including property declared under the N.C. Condominium Act NCGS 47C-1 et. seq., lying within the Jurisdiction as now or hereafter fixed shall be subdivided except in conformance with all applicable provisions of this Article. Violation of this Section shall be a misdemeanor.

5-4.3 Dedication and Acceptance

(A) Rights-of Way and Easements: The approval of a plat constitutes dedication and acceptance by the Jurisdiction and the public of the right-of-way of each public street, alley, or utility or drainage easement shown on such plat. The approval of a plat does not constitute acceptance for maintenance of other purposes of improvements in such right-of-way, such as utility lines, street paving, drainage facilities or sidewalk surfaces. Such improvement may be accepted by the body or administrative officer of the Jurisdiction authorized to inspect and, where appropriate, accept the dedication of such improvement.

- (B) Open Space: Land designated as public open space on a plat shall be considered to be offered for dedication until the Governing Body of the Jurisdiction has by express action accepted such dedication. Until such dedication has been accepted, land so offered may be used for open space purposes by its owner or by an association representing owner of other lots within the plat. Land so offered for dedication shall not be used for any purpose inconsistent with the proposed public use without the express approval of the body with plat approval authority for the Jurisdiction.

5-5 PRE-APPLICATION PROCEDURE

5-5.1 Conference

For the purpose of clarification and assistance in the preparation and submission of plats for approval, and in the interest of efficiency and economy, every subdivision applicant is strongly encouraged to schedule a Preapplication Conference with the Planning Staff prior to the submission of a Preliminary Plat.

5-5.2 Sketch Plan

- (A) Required for Staff Review: A sketch plan is required for staff review whenever adjoining land is owned by the subdivider seeking approval of a major subdivision.
- (B) Required for Technical Review Committee Approval: A Sketch Plan is required for Technical Review Committee approval for any subdivision of property that involves more than fifty (50) lots. Procedures for approval shall correspond to the procedures found in Section 5-6 (Preliminary Plat).
- (C) Preparation: The Sketch Plan shall be prepared in accordance with Appendix 2 (Map Standards) and submitted to the Planning Department.

5-6 PRELIMINARY PLAT

5-6.1 Required

A preliminary Plat shall be required for all subdivisions, including Group Developments.

5-6.2 Preparation

The Preliminary Plat shall be prepared by a registered land surveyor, registered landscape architect, or licensed engineer, and shall be prepared in accordance with Appendix 2 (Map Standards).

5-6.3 Preliminary Plat Approvals

- (A) Planning Division Approvals: Plats meeting all requirements of a Minor Subdivision may receive preliminary approval for the Planning Department. Major Subdivisions shall require preliminary approval of the Technical Review Committee. Any decision by the Planning Department may be appealed by the applicant to the Technical Review Committee within thirty (30) days of the decision.
- (B) Environmental Health Division: Once a subdivision plat, that does not have public sewer available, receives preliminary approval from the Planning Department or Technical Review Committee approval shall be required for the Environmental Health Division before Final Plat approval. (Refer to Section 5-13.6(B) Subdivision Improvements – Utilities- Water and Sewer Connections)

5-6.4 Submission

The Planning Department shall present Major Subdivisions or appealed cases to the Technical Review Committee at its next meeting. The Technical Review Committee shall review the Preliminary Plat for compliance with existing regulations. This review shall be made by the members of the Technical Review Committee and by any other agencies or officials by referral or as required by NCGS 160A-373.

5-6.5 Action By Technical Review Committee

- (A) Timing: The Technical Review Committee shall take action within thirty (30) days of reviewing the Preliminary Plat.
- (B) Approval: if the Preliminary Plat is approved, the applicant may proceed toward Final Plat approval.
- (C) Conditional Approval: If the Preliminary Plat is granted conditional approval, the applicant shall cause the plat to be revised, based upon the conditions of the approval and resubmitted. The Planning Department shall review the revised plat and, if it meets all the approval conditions and is otherwise substantially unaltered, shall signify on the plat the change conditional approve to approval. If the plat is not revised within sixty (60) days to meet the approval conditions or the applicant notifies the Planning Department that he is unwilling to review the plat, it shall be deemed denied.
- (D) Denials: If the Preliminary Plat is denied the reasons shall be stated in writing. The applicant may revise and resubmit a plat which has been denied. Decisions of the Technical Review Committee may be appealed to the Planning Board within thirty (30) days of the Technical Review Committee decision.

5-6.6 Action By Planning Board

If a Preliminary Plat is appealed to the Planning Board it shall be reviewed at the next regularly scheduled meeting. The Planning Board may approve, grant conditional approval, or deny the plat in accordance with the procedures found in 5-6.5 (Action by Technical Review Committee).

5-6.7 Appeals

If the plat is denied, or granted conditional approval, or if no action is taken within thirty (30) days by the Technical Review Committee the applicant may appeal the plat to the Planning Board within fifteen (15) days after denial, conditional approval, or lack of action by the Technical Review Committee. If the plat is denied, or granted conditional approval, or if no action is taken by the Planning Board the applicant may appeal the plat to the Governing Body within fifteen (15) day after the Planning Board meeting. The Governing Body shall approve, grant conditional approval, or deny the plat.

5-6.8 Fees

All fees shall be due and payable when the Preliminary Plat is submitted according to the Schedule of Fees.

5-7 STREET AND UTILITY CONSTRUCTION

5-7.1 Plans

Street and utility construction plans for all street, water, sanitary sewer, and storm sewer facilities shall be submitted to the Jurisdiction shortly prior to or following Preliminary Plat approval. For each subdivision section, the street and utility construction plans shall include all improvements lying within or adjacent to that section as well as all water and sanitary sewer lines lying outside that section and being required to serve that section.

5-7.2 No Construction Without Plan Approval

None of the improvements listed above shall be constructed until the street and utility construction plans for such improvements have been reviewed and approved by the Jurisdiction.

5-7.3 Inspection

Work performed pursuant to approved street and utility construction plans shall be inspected and approved by the Jurisdiction. Final inspections shall be made by the Town Engineer and paid for by the developer.

5-8 WATERSHED CONTROL PONDS AND SOIL & EROSION CONTROL DEVICES INSTALLATION

Any approved watershed control pond(s) and soil and erosion control device(s) may be installed prior to approval of street and utility construction.

5-9 OWNER'S ASSOCIATIONS

5-9.1 Establishment of Owner's Association

- (A) Creation: An Owner's Association shall be established to accept conveyance and maintenance of all common areas and facilities within a development containing common areas.
- (B) Conveyance: Where developments have common areas or facilities for maintenance serving more than one (1) dwelling unit, these areas are to be conveyed to the Owner's Association in which all owners or lots in the development are members. All areas other than public street rights-of-way, areas dedicated to the Jurisdiction, and lots shall be shown and designated as common areas. The fee-simple title of the common area shall be conveyed by the subdivider of developer to the Owner's Association.
- (C) Subdivision or Conveyance of Common Area: Common areas shall not be subsequently subdivided or conveyed by the Owner's Association.
- (D) Owner's Association Not Required: Developments involving only two units attached by a common wall shall not be required to have common areas or an Owner's Association. Developments with only two units attached and not having an Owner's Association shall have an agreement between owners concerning maintenance of common walls.

5-9.2 Submission of Owner's Association Declaration

Prior to or concurrently with the submission of the Final Plat for review and approval, the subdivider shall submit a copy of the proposed Bylaws of the Owner's Association containing covenants and restraints governing the Association, plats, and common areas. The restrictions shall include, (but not limited to), provisions for the following:

- (A) Existence Before Any Conveyance: The Owner's Association declaration shall be organized and in legal existence prior to the conveyance, lease-option or other long term transfer of control of any unit or lot in the development.
- (B) Membership: Membership in the Owner's Association shall be mandatory for each original purchaser and each successive purchaser of a lot or unit. Provisions shall be made for the assimilation of owners in subsequent Owner's Association.
- (C) Owner's Association Declaration: The Owner's Association declaration shall contain the following terms:
 - 1) Responsibilities of Owner's Association: The Owner's Association declaration shall state that association is responsible for:
 - a. The payment of premiums for liability insurance and local taxes;
 - b. Maintenance of recreational and/or other facilities located on the common areas; and
 - c. Payment of assessments for public and private improvements made to or
 - 2) Default of Owner's Association: Upon default by the Owner's Association in the payment to the Jurisdiction entitled thereto of any assessments or ad valorem taxes levied against the common areas, which default shall continue for a period of six months, each owner of a lot in the development shall become personally obligated to pay to the taxing or assessing Jurisdiction a portion of the taxes or assessments in an amount determined by dividing the total taxes and/or assessment due to the Jurisdiction by the total number of lots in the development. If the sum is not paid by the owner within thirty (30) days following receipt of notice of the amount due; the sum shall become a continuing lien on the property of the owner, his heirs, devisees, personal representatives and assigns. The taxing or assessing Jurisdiction may either bring an action at law against the owner personally obligated to pay the same, or may elect to foreclose the lien against the property of the owner.
 - 3) Powers of the Association: The Owner's Association is empowered to levy assessments against the owners of lots within the development. Such assessments shall be for the payment of expenditures made by the Owner's Association for the items set forth in the Section and any assessments not paid by the owner against who such are assessed shall constitute a lien on the lot of the owner.
 - 4) Easements: Easements over the common areas for access, ingress and egress from and to public streets and walkways and easements for enjoyment of the common areas, as well as for parking, shall be granted to each lot owner.
 - 5) Maintenance and Restoration: Provisions for common area maintenance of and restoration in the event of destruction or damage shall be established.
- (D) Nonresidential Condominiums: If the condominium is a nonresidential condominium, the declaration shall contain the following provision:

“Parking spaces shall be allocated among the individual units in such a manner that each unit is entitled to a sufficient number of parking spaces to comply to this Ordinance for the use intended to be therein. The Owner’s Association shall maintain at all times a register listing the total number of parking spaces in the development and the number of parking space allocated to each unit in the development. A copy of this register shall be available to the Enforcement Officer at his request. The Owner’s Association shall not reduce the number of parking space allocated to an individual unit without the express written consent of the owner thereof, and in on case shall the number of parking spaces allocated to an individual unit be reduced to a number below that required by this Ordinance.”

5-9.3 Default on Maintenance Responsibilities

If the organization responsible for maintenance of common areas and facilities does not satisfactorily carry out the agreed responsibilities, the Jurisdiction shall have the right to enter upon the common areas or facility and perform the required maintenance. The Jurisdiction shall assess the costs of that maintenance against the responsible organization and/or the lot owners in the development. These costs shall inure as a tax lien against the properties of the owners, and shall be recorded as such in the office of the Register of Deeds.

5-10 Final Plat

5-10.1 Submission

Upon approval of the Preliminary Plat and other required plans the applicant shall be eligible to submit a Final Plat for approval. Approval of the Preliminary Plat shall constitute tentative approval of the Final Plat if the Final Plat is substantially unchanged from the approved Preliminary Plat. Substantial changes from the Preliminary Plat will require an additional review by the Technical Review Committee to insure compliance with existing regulations.

5-10.2 Preparation

The Final Plat shall be prepared by a Registered Land Surveyor in accordance with Appendix 2 (Map Standards).

5-10.3 Required Improvements

No Final Plat shall be approved until all required improvements have been installed and approved or appropriate surety is provided as set forth in Section 3-10 (Sureties or Improvements Guarantees).

5-10.4 Assurance of Completion of Improvements

Where the improvements required by this Ordinance have not been completed prior to the submission of the plat for final approval, such improvements shall be assured by the owner’s filing of an approved surety bond, certified check, or irrevocable letter of credit in an amount to be determined by the Jurisdiction and for an approved period not to exceed eighteen (18) months.

5-10.5 Certification of Final Plat

When the Planning Department has approved a Final Plat, a signed written statement to this effect shall be entered on the face of the plat. The statement can be found in Appendix 2 (Map Standards).

5-10.6 Permits

Unless otherwise provided in this Ordinance, upon recordation of the Final Plat the subdivider shall be eligible to apply for building and any other permits required by this Ordinance or other laws.

5-10.7 Fees

All fees and assessments shall be due and payable when the Final Plat is submitted for approval.

5-11 RECORDATION OF FINAL PLATS

After approval, a Final Plat must be recorded in the office of the Register of Deeds within sixty (60) days. It is the responsibility of the developer to record the Final Plat. No plat shall be regarded as finally approved until such plat shall be recorded. IF the Final Plat of all or part of the area shown on the approved Preliminary Plat is not recorded in the Office of the Register of Deeds within eighteen (18) months of approval of the Preliminary Plat, or if there is a lapse of more than eighteen (18) months between the recordings of sections, the Preliminary Plat must be resubmitted to the Technical Review Committee. Such resubmittal shall be in accordance with the requirements of the Ordinance.

5-12 WAIVERS

5-12.1 Approval Authority

The Technical Review Committee or, on appeal, the Planning Board or Governing Body may approve waivers to standards in this Article.

5-12.2 Grounds for Waivers

The plan approval agency may waive standards in the Article under one of the following circumstances:

- (A) Physical Hardship: Where because of the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas, or the existence of other unusual physical conditions, strict compliance with the provisions of this Article would cause unusual and unnecessary hardship on the subdivider.
- (B) Equal or Better Performance: Where in its opinion a waiver will result in equal or better performance in furtherance of the purposes of this ordinance.
- (C) Unintentional Error: Where through an unintentional error by the applicant, his agent, or the reviewing staff, there is a minor violation of a standard in this Article, where such violation is not prejudicial to the value or development potential of the subdivision or adjoining properties.

5-12.3 Conditions

In granting waivers, the approval authority may require such conditions as will secure, insofar as practicable, the purposes of the standards or requirements waived.

5-13 SUBDIVISION STANDARDS

5-13.1 General

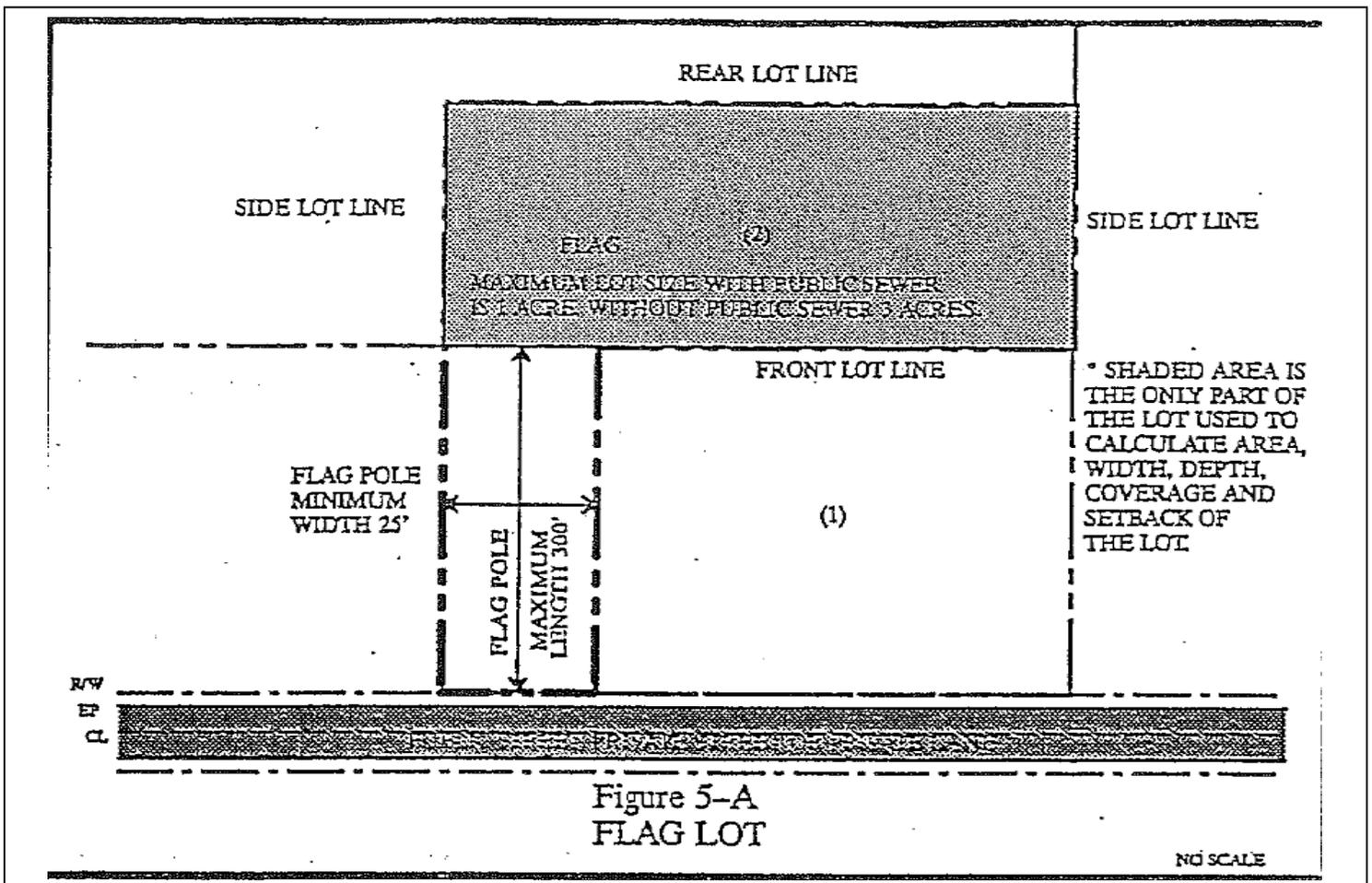
All proposed subdivisions, including group developments, shall comply with this Article and shall be so planned as to facilitate the most advantageous development of the entire community and shall bear a sensible relationship to the approved plans of the Jurisdiction. Whenever a tract to be subdivided includes or adjoins any part of a thoroughfare or collector street as designated by the Thoroughfare Place or Collector Street Plan, that part of such proposed public right-of-way shall be dedication to the public right-of-way with the subdivision plat in the location and to the width recommended by the plans or this Article.

5-13.2 Lot Dimensions and Standards

The size, shape, and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated and shall conform to the following:

- (A) Conformance to Other Regulations: Every lot shall have sufficient area, dimensions, and street access to permit a principal building to be erected thereon in compliance with all zoning and other requirements of this Ordinance;
- (B) Minimum Building Area: Every lot shall have at least forty (40) percent of its total area, or three thousand (3000) square feet, whichever is less, of contiguous buildable area of a shape sufficient to hold a principal building. Said area shall lie at or be filled to an elevation at least one (1) foot above the one-hundred-year high water elevation. (Caution: Article VII or Federal Wetlands regulations will prohibit or restrict fill placement in certain locations.)
- (C) Lot Depth to Width Ratio: No lot shall have a depth greater than four (4) times the width at the minimum building line.
- (D) Side Lot Line Configuration: Side lines of lots should be at or near right angles or radial to street lines.
- (E) Lot Line and Drainage: Lot boundaries shall be made to coincide with natural and pre-existing man-made drainageways to the extent practicable to avoid the creation of lots that can be built upon only by altering such drainageways.
- (F) Lots on Thoroughfares: Major subdivisions shall not be approved which permit individual residential lots to access major thoroughfares.
- (G) Access Requirements: All lots must have public street access and frontage meeting the requirements set forth in Article IV (Zoning). The following exceptions may be approved:
 - 1. Flag Lots (See Figure 5-A) approved by the Technical Review Committee meeting the following requirements:
 - a. A Flag Lot shall serve only one single-family dwelling and its uninhabited accessory structures;

- b. The maximum flagpole length shall be three hundred (300) feet;
- c. The minimum flagpole length shall be twenty-five (25) feet;
- d. The maximum lot size in areas with public sewer shall be one (1) acre;
- e. The maximum lot size without public sewer shall be three (3) acres.
For lots located in the Watershed Critical Area Tier 2 without public sewer, the minimum lot size shall be five (5) acres and the maximum shall be ten (10) acres. Note: Flagpole portion of lot is not used to calculate area, width, depth, coverage, and setbacks of the lot or to provide off-street parking.
- f. Where public water is available, any building on the flag lot must be within five hundred (500) feet of a hydrant. This distance shall be measured along the street, then along the flagpole, then in a straight line to the building location.
- g. Where public sewer is available, occupied buildings on the flag lot shall have a gravity service line, or the sewer pump requirement shall be noted on the plat; and
- h. Use of a single driveway to serve a flag lot and an adjoining lot is permitted and encouraged; the preferred location for the driveway is on the flagpole portion of the flag lot, with the conventional lot



granted an access easement over the flagpole.

2) Lots served by Exclusive Access Easements meeting the following criteria:

- a) An Exclusive Access Easement shall serve only one single-family dwelling and its uninhabited accessory structures.
- b) Lots to be served by an Exclusive Access Easement shall not be created in an area served by public water or sewer or within the extraterritorial jurisdiction of a municipality.
- c) Minimum lot size is three (3) acres.
- d) Minimum easement width shall be twenty-five (25) feet.
- e) Minimum easement length shall be three hundred (300) feet.
- f) Minimum separation between easement and any other platted access or right-of-way shall be one-hundred and fifty (150) feet.
- g) The location of the easement must be recorded on a plat.
- h) The Exclusive Access Easement shall permit ingress, egress, and regress and necessary utilities required to serve the lot.

3) Lots and units located in developments with Owner's Association or group developments in which permanent access is guaranteed by means of approved private street and/or drive.

5-13.3 Streets

- (A) Conformance with Thoroughfare and Collector Street Plans: The location and design of streets shall be in conformance with applicable thoroughfare and collector street plans. Where conditions warrant, right-of-way widths and pavement widths in excess of the minimum street standards may be required.
- (B) Conformance with Adjoining Street Systems: The planned street layout of a proposed subdivision shall be compatible with existing or proposed streets and their classifications on adjoining or nearby tracts.
- (C) Access to Adjoining Property: Where in the opinion of the Technical Review Committee, it is desirable to provide for street access to adjoining property, proposed streets shall be extended to the boundary of such property.
- (D) Reserve Strips: Reserve strips adjoining street rights-of-way for the purposes of preventing access to adjacent property shall not be permitted under any condition.
- (E) Street Classifications: The final determination of the classification of streets in a proposed subdivision shall be made by the Jurisdiction. Streets are defined in Article II (Definitions).
- (F) Public Street Design Criteria: The minimum street design standards for the street classifications attached herewith as Table 5-13-1 and 5-13-2. Right-of-way dedication and paving of streets in and adjacent to the subdivision shall be in conformance with the right-of-way and pavement width requirements of Table 5-13-1 and Table 5-13-2; and the streets shall be designed in accordance with the Jurisdiction's Street Design

Manual, or the NCDOT Subdivision Roads: Minimum Construction Standards whichever is applicable.

(G) Private Street Design Criteria

- 1) Where Permitted: Private streets shall be permitted in developments with Owner's Associations and group developments.
- 2) Minimum Design and Construction: The minimum design standards are found in Table 5-13-3. The pavement design for all private streets will be equivalent to the minimum design for local residential streets of the Jurisdiction or NCDOT whichever is applicable, unless the developer supplies an alternate pavement design supported by an engineering study. The developer must furnish proof (engineer's seal as well as certification) that the private streets have been tested and certified for the subgrade, base, and asphalt. All private streets will have a standard, thirty (30) inch curb and gutter section, unless the street is located in the Watershed Critical Area (WCA). Streets located in the WCA may be twenty-two (22) feet of asphalt construction with shoulders and a ditch section. Common area may need to be widened to keep the ditch section within the common area. All cul-de-sacs will have a minimum forty-five (45) foot pavement radius.
- 3) Owner's Association Required: A Owner's Association is required to own and maintain all private streets allowed under this Ordinance. All private streets will be indicated on the plat.
- 4) Through Streets: No through street in a residential area connecting two public street can be designated as a private street.
- 5) Connections to Public Streets: All private streets, connecting with public streets, require an approved driveway application from the Jurisdiction or NCDOT whichever is applicable. Where street returns are permitted, the developer will have constructed a concrete band running parallel with the public street. The width of this band shall commence at the gutter line and extend to the right-of-way for the public street. In the event sidewalks are constructed, the minimum width shall be four (4) feet.

(H) The Town will determine and approve all private streets.

(I) Intersecting Street Angle

- 1) All streets shall intersect each other at or as near to ninety (90) degrees as possible within topographic limits.
- 2) All streets crossing natural areas, wetlands, or stream buffers must cross at or as near to ninety (90) degrees as possible within topographic limits.

(J) Cul-de-sac Minimum Length: The maximum distance from an intersecting through street to the end of a cul-de-sac shall be eight hundred (800) feet, except that a distance up to one thousand six hundred (1600) feet may be approved in the Watershed Critical Area.

(K) Minimum Street Offset: Where streets are offset, the centerlines of shall be offset no less than one hundred and twenty-five (125) feet.

(L) Curb and Gutter: Curb and gutter shall be required in all urban subdivisions except in the Watershed Critical Area as defined by Article VII (Environmental) unless the continuity of previous street work necessitates curb and gutter. Curb and gutter should be constructed in conformance with the design criteria of the Jurisdiction. Curb and gutter in rural subdivisions is not required unless public water and/or sewer is provided or required.

(M) Temporary Turnarounds: Stub-outs shall be required to have a temporary turnaround at the stub-out which will be sufficient to permit sanitation vehicles to turn around.

Table 5-13-1

MINMUM PUBLIC STREET DESIGN STANDARDS – URBAN AREA

Classification	Min 50W ^a (ft.)	Min Pvm't Width ^{a,b} (ft.)	Stopping Sight Distance (ft.)	Centerline Radius (Min 4% Buffer (ft.))
Major Thoroughfare	90-100	64-68	650	1530
Minor Thoroughfare				
Five Lane	80	60	550	1240
Four Lane	68	48	475	955
Collector	60	40	400	765
Subcollector	56	36	250	440
Local Residential				
w/ribbon ^c	50	22	200	300
w/curb and gutter	50	31 ^d	200	300
Local Industrial	60	40	325	575
Industrial Cul-De-Sac	60	40	325	575

Recommended design standards – exceptions may be approved due to special physical constraints on an individual basis by designated local staff.

^a Unless additional width required under Section 5-13.3 (A).

^b Dimension in this column are from face of curb to face of curb, except ribbon pavement.

^c Watershed Critical Area (WCA) only.

^d With twenty (20) dwelling units or less, 26 ft. Back of curb to back of curb.

NOTE: All Public Streets must be built to the Town Engineers satisfaction.

Table 5-13-2

MINIMUM PUBLIC LOCAL STREET DESIGN STANDARDS – RURAL AREA

Classification	Min. Row (ft.)	Min Pvm't Width (ft.)	Sight Distance (ft.)	Center Radius (ft.)
Collector/Subcollector (NCDOT)	50	20	200	230
Local/Cul-de-Sac (NCDOT)	50	20	150	150

Table 5-13-3

MINIMUM PRIVATE STREET DESIGN STANDARDS – URBAN AREA

Minimum Common Area of Obstructions (ft.)	Minimum Pavement Width (face to face) (ft.)	Stopping Sight Distance (ft.)	Centerline Radius Minimum (ft.)
34 ^a	25 ^b	150	215

^a Common area may need to be wider when using ribbon pavement in the WCA.

^b Ribbon pavement width in WCA is 22 feet.

Minimum Private Street Design Standards for
Manufactured Dwelling and Recreational Vehicle Parks

Minimum Common Area Free of Obstructions (ft.)	Minimum Pavement Width (ft.)	Stopping Sight Distance (ft.)	Centerline Radius Minimum (ft.)
30	20	150	150

(N) Grades at Intersection: The grade on stop streets approaching an intersection shall not exceed five (5%) percent for a distance of not less than one hundred (100) feet from the centerline of the intersection.

(O) Street Names: Streets which are obviously in alignment with existing streets shall generally bear the name of the existing street. Street names shall not duplicate or closely approximate phonetically the names of existing streets in Guilford County. Street suffixes and addresses shall conform to the standard set forth in Appendix 1 (Street Names and Address Standards).

(P) Private Street, Lane or Drive Signs

- 1) Street Signs: AT each intersection of a named private street, drive, or land with a public street, the Jurisdiction shall erect a street name sign. The developer shall pay a fee to the Jurisdiction for each such sign required. In addition, the developer shall be required to erect and maintain reflectorized signs, with green lettering on a white background, at all intersections between private streets, drives, or lanes.
- 2) Traffic Control Signs: The developer shall be required to provide to provide traffic control signs in locations designated by the Jurisdiction.
- 3) Maintenance: Maintenance of signs on private streets, drives or lanes shall be the responsibility of the owner or owner's association, as appropriate.

5-13.4 Block Length

Blocks shall not exceed a perimeter length of six thousand (6,000) feet, except that a perimeter length of up to twelve thousand (12,000) feet may be approved in the Watershed Critical Area. Perimeter length is the shortest perimeter measurement along the abutting street right-of-way lines. There shall be a four hundred (400) foot minimum distance between intersections on collector or higher classification streets.

5-13.5 Sidewalks and Street Lights

- (A) Sidewalks shall be required in all new commercial, industrial, and residential zone developments, including all thoroughfare streets and side streets. All sidewalks shall be installed within the right-of-way with a two (2) foot grass planting between the street curb and the sidewalk. All sidewalks shall be installed in conformance with the current standards as specified in the municipal street standards on file in the Planning Office. All sidewalks at cross streets shall have an ADA-compliant ramp.
 - 1.) In all residential zones, all sidewalks shall be located on one side of the street, including the circumference of each cul-de-sac. All residential zone sidewalks shall be a minimum width of four (4) feet.
 - 2.) In all commercial and all industrial zones, all sidewalks shall be located on both sides of the street. All commercial and industrial sidewalks shall be a minimum width of five (5) feet.
- (B) Street lights shall be installed in all new developments in accordance with the municipal street lighting plan on file in the Planning Office.

5-13.6 Utilities

- (A) Public water and sewer construction requirements: Water and sewer lines, services, connections, valves, and related equipment shall be constructed in conformance with state and applicable local regulations. Specifications are referenced in the Town Street Standards on file in the Planning Office.
Note: All utilities in private streets will be maintained by private owner(s) or home owner's association.
- (B) Water and Sewer Connections: Connection of each lot to public water and sewer utilities shall be required if the propose subdivision is within three hundred (300) feet of the nearest adequate line from a public system, and provided that no geographic or topographic factors would make such connection infeasible. Where public sewer is not available, lots shall meet applicable Guilford County Environmental Health

Division regulations. Approval of the Environmental Health Division shall be obtained after Preliminary Plat approval. The Final Plat shall show the certificate of Approval from the Environmental Health Division as shown in Appendix 2 (Map Standards).

(C) Underground Utilities: Electrical, television, cable, and telephone utility lines which are installed to provide service within major subdivisions shall be underground unless the Technical Review Committee determines said underground installation is inappropriate.

(D) Utility Easements

- 1) Major Subdivisions: To provide for electric service, telephone service, gas service, community antenna television systems, and conduits, sewer or water lines within the subdivision an appropriate utility easement not to exceed thirty (30) feet in width shall be provided. The location of such easements shall be reviewed and approved by the Jurisdiction, with advice from utility providers, before Final Plat approval.
- 2) Minor Subdivisions: Lots fronting on public streets with access to existing utilities are not required to have utility easements. All other lots shall show a twenty (20) foot utility easement to the front, side, or rear of each lot unless easement releases are obtained from all utility companies, in which case no utility easement will be required.

5-13.7 Drainage

The design of storm drainage systems and plans, including calculations, shall clearly indicate the easements and dedicated areas required for the construction and maintenance of the drainage system.

(A) General Drainage Requirement

- 1) All watercourses which would carry a flow of five (5) cubic feet per second or more during a ten(10)-year storm, as calculated in accordance with the city/county's Storm Sewer Design Manual, are treated in one or more of the three ways listed in Section 5-13.7 (B), (C), or (D) which follow. Except where Section 5-13.7(A)2) below leaves the determination to the developer, the Technical Review Committee shall determine the treatment of treatments to be used, based upon the pipe size necessary to handle drainage and the adopted open space plan. Open drainage channel requirements shall be based upon a one-hundred (100) year storm and enclosed systems shall be designed based upon a ten (10) –year storm. If the area identified on the open space plan map or requires a pipe of sixty-six (66) inch diameter or greater size, the determination of drainage treatment shall be made by the Technical Review Committee. In making this determination, the Technical Review Committee shall consider the following factors:
 - a) The type of development;
 - b) The treatment employed by other developments nearby;
 - c) The probability of the creation of a lengthy greenway or drainageway and open space;
 - d) The probability of the creation of future maintenance problems;
 - e) The probability of erosion of flooding problems; and

- f) The adopted open space plan.
- 2) If the area is not identified on the open space plan and required less than a sixty-six (66) inch diameter pipe, the determination of drainage treatment shall be made by the property owner in a manner consistent with this section.

(B) Enclosed Subsurface Drains

- 1) This Section applies to enclosed subsurface drains. Profiles and enclosure standards shall be in accordance with the Jurisdiction Storm Sewer Design Manual.
- 2) A utility easement shall be placed on a recorded plat which shall state the right of the Jurisdiction to enter the utility easement for enclosure maintenance purposes when determined necessary by the Jurisdiction. The required utility easement shall be centered on the enclosure when partial, but in no case shall the outside wall of the enclosure be located closer than five (5) feet to the utility easement line. The utility easement shall be of a width determined necessary for maintenance purpose by the Jurisdiction based upon enclosure depth, topography and location of existing and proposed improvements, but no less than fifteen (15) feet.
- 3) The utility easement shall be kept free and clear of any buildings or other improvements which would interfere with the proper maintenance of the underground enclosures. The Jurisdiction shall not be liable for damages to any improvement located within the utility easement area caused by maintenance of utilities located therein. Furthermore, utility easements may be used for future installations of any underground utility, provided that:
 - a) Any underground utility to be installed by any utility provider other than the Jurisdiction shall be subject to approval by the appropriate department.
 - b) Any government agency or private company installing additional underground lines after development has been completed by the owner of the property shall be responsible for the replacement of all fencing, pavement, and grassed area disturbed by such installation.
 - c) The Jurisdiction shall not be responsible for damages caused by installation of additional lines by any private utility company.

(C) Open Channel in Dedicated Drainageway and Open Space Area

- 1) This section applies to an open channel in a dedicated drainageway and open space area. The drainageway and open space area shall be dedicated by a recorded plat and shall be labeled “Dedicated to the Town of Gibsonville and the public for Drainageway and Open Space”. If a portion of the drainageway and open space lies within a proposed thoroughfare shown on the thoroughfare plan, it shall be labeled “Dedicated to the Town of Gibsonville and the public for Drainageway and Open Space or Thoroughfare”.
- 2) The dedicated drainageway and open space area shall include the required drainage channel as determined by the Jurisdiction. The area to be dedicated may be reduced to a minimum total average width of two hundred (200) feet by filling that area between the one-hundred-year flood contour and the minimum width or designated floodway whichever is greater, provided that no slopes are created greater than three (3) to one (1). (Caution: Article VII or Federal wetlands regulations will prohibit or restrict fill placement in certain locations.)

- 3) In case of severe topography, additional width may be required to assure reasonable ease of maintenance.
- 4) The dedicated drainageway and open space area shall abut public street right-of-way on at least thirty (30%) percent of its perimeter except when the Technical Review Committee determines that adequate access is otherwise provided. The minimum length of street frontage at each location where drainageway and open space abuts public street right-of-way shall be sixty (60) feet. The maximum distance, measured by straight lines on either side of the drainageway and open space, between points at which the drainageway and open space abuts street right-of-way shall be on thousand (1,000) feet.
- 5) Adjoining development shall be designed to provide for economical maintenance of the drainage channel and surrounding open area. The centerline of the required drainage channel shall be located no less than fifty (50) feet from any street or pretty line provided that the dimensions of the drainageway and open space are conform to all other requirements of this Section.
- 6) The open space to be dedicated as drainageway and open space shall be left in its natural condition or graded to a section approved by the Jurisdiction which will allow economical and efficient maintenance and shall be stabilized with permanent vegetative cover.
- 7) Lots abutting public open space may be reduced in size in accordance with the provisions in Section 4-4.1 (D) (Lots Adjoining Public Open Space). IF lot sizes have been reduce with the provisions of the Ordinance, the following note shall appear of the plat:

“The required area of Lots ____ through ____ has been reduced in accordance with Section 4-4.1(D) of this Ordinance. All other dimensional requirements of this Ordinance shall apply.”

(D) Open Channel on Private Property Within Drainage Maintenance and Utility Easement

- 1) This section applies to open channels on private property within a drainage maintenance and utility easement. This method shall not be utilized in any subdivision of individual lots intended for single-family detached dwellings unless the Technical Review Committee, upon advice of the appropriate departments, determines that an open channel would not become a missing segment in a system of stormwater piping and that the open channel is well removed from all anticipated building locations.
- 2) The drainage maintenance and utility easement shall include the required drainage channel and the land between the channel and the natural on-hundred-year flood contour as determines by FEMA or by calculations approved by the US Army Corps of Engineers; or, in some cases, it may be reduced by modifying the drainage maintenance and utility easement topography to a typical required drainage channel section as provided for in the Section. However, the minimum total width of a drainage maintenance and utility easement shall be no less than specified below:

Cubic Feet per second in 100-year storm	Drainage maintenance and utility easement width (ft.)
5-17	30' centered
17-70	60' centered
>70	100' plus width of channel

The drainage maintenance and utility easement width shall be centered on the typical required drainage channel section, unless the Jurisdiction approves other drainage maintenance and utility easement alignments because of topographic conditions.

- 3) In case of severe topography, additional width may be required to assure reasonable ease of maintenance.
- 4) The drainage maintenance and utility easement topography may be modified if permitted under Section 7-4 (Soil Erosion and Sedimentation Control). In such cases, the approved typical required drainage channel section shall include the necessary channel to accommodate the one-hundred (100) year flood. The area outside of the required drainage channel may be filled; but any resulting slope shall be no steeper than two (2) to one (1), unless the slope is protected by masonry paving, rip-rap, or other material which meet the Jurisdiction specifications.
- 5) Where, in the opinion of the Enforcement Officer, suitable access to the drainage maintenance and utility easement is not otherwise provided, access shall be guaranteed by a suitable located access easement which shall be no less than twenty (20) feet in width.
- 6) It shall be the responsibility of the owner to provide maintenance to all stream located on the property. However, in the event the Governing Body determines that it is in the public interest to alter the typical required channel section and/or profile of the stream in order to improve flow, the Jurisdiction may enter upon the property within the indicated access or drainage maintenance and utility easement and carry out the necessary work without any liability for any damage to the property, or improvement thereon, located within the indicated access and/or drainage maintenance and utility easement.
- 7) Drainage maintenance and utility easement may be utilized for any underground utility provided that:
 - a) Underground utility lines to be installed by any utility provider other than the Jurisdiction shall be subject to approval by the Jurisdiction.
 - b) The government agency or private company installing underground lines after development has been completed by the owner of the property shall be responsible for the replacement of all fencing, pavement and grassed areas disturbed by such installation.
 - c) The Jurisdiction shall not be responsible for damage caused by the installation of additional lines by any private utility company,

- d) The Jurisdiction shall not be liable for damages to any improvements located within the drainage maintenance and utility easement are caused by maintenance of utilities located therein.
 - 8) No buildings shall be placed or constructed within the access or drainage maintenance and utility easement. All drives, parking areas, or other improvements, except for water-related improvements such as boat docks, shall be constructed no closer than two (2) feet horizontally from the top of any back slope along any open watercourse.
- (E) Flood Standards:
- 1) All subdivision proposals shall be consistent with the need to minimize flood damage;
 - 2) All subdivision proposals shall have the public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
 - 3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and
 - 4) Base flood elevation data shall be provided for subdivision proposals and other proposed development whenever the one hundred (100) year storm flow is five hundred (500) cubic feet per second or greater.
- (F) Sites For Public Uses: In subdividing property, due consideration shall be given by the subdivider to the reservation of suitable sites for school and other public uses in accordance with NCGS 160 A-372 and NCGS 153 A-331.
- (G) Placement of Monuments: Unless otherwise specific by the Ordinance, the *Standards of Practice for Land Surveying in North Carolina*, as adopted by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, shall apply when conducting surveys.