

TOWN OF SELMA, NC
SUBDIVISION ORDINANCE

(Last Amended: 13 April 2010 – Design Requirements begin on page 13)

ARTICLE V. SUBDIVISIONS

Sec. 17-91. Intent.

- a. It is the intent of this article to provide an orderly process for division of land into lots or parcels for the purpose of sale and/or building development by property owners. It is also this article's intent to ensure the subdivided lots or parcels can be used safely to build on without danger to the health, safety, and general welfare of both the prospective or future owners in the town community, and that subdivisions are provided with and provide for adequate and efficient access and coordination of streets, water and/or sewage, parks, schools, playgrounds and other public requirements and facilities where appropriate.

- b. The regulations of this article are adopted under the authority of G.S. Sections 160A-371 to 160A-376 which authorizes the town to regulate the subdivision of land.

(Ord. of 4-13-04, § 1(5.1))

Sec. 17-92. Applicability.

No land shall be subdivided, platted, or recorded, nor shall subdivided lots or parcels be sold, offered for sale, used, or occupied unless and until a final plat of the subdivision has been approved under this article and has been recorded by the county register of deeds. The subdivision of land by use of metes and bounds descriptions in instruments of transfer is prohibited. No lot or parcel resulting from a division of land excluded from the definition of subdivision in section 17-93 shall be sold, offered for sale, used, or occupied until the planning director certifies that such division of land falls within one (1) of the exclusions listed in the definition of subdivision. No plat of any division of land within the town's planning jurisdiction shall be filed or recorded by the county register of deeds unless it contains the planning director's certification that the division of land has been approved under, or is not subject to, this article.

(Ord. of 4-13-04, § 1(5.2))

Sec. 17-93. Subdivision defined.

- a. A subdivision is any division of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose of sale or building development, whether immediate or future. It includes any division of land involving the dedication of a new street or change in existing streets. The following divisions of land are not included in this definition and are NOT subject to this article:

1. The combination or recombination of portions of previously subdivided and recorded lots, where the total number of lots is not increased and the resultant lots are equal to or exceed the standards set forth in this article, and the minimum gross lot size, minimum lot width and minimum street frontage standards of this chapter;
 2. The division of land into parcels greater than ten (10) acres in area, where no public street right-of-way dedication or opening of streets is involved;
 3. The public acquisition, by purchase, of strips of land for the purpose of widening or opening of streets; or
 4. The division of a tract in single ownership whose entire land area is no greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards set forth in this article, and the minimum gross lot size, minimum lot width and minimum street frontage widths standards of this chapter.
- b. In subsection (a)(1) of this section, the phrase "previously subdivided and recorded" means under a recorded plat or other instrument of transfer containing a metes and bounds description if lots were created prior to the existence of applicable subdivision regulations, or under a validly approved and recorded plat if such lots were created after the existence of applicable subdivision regulations.
- c. In subsection (a)(2) and (4) of this section, the phrase "where no street right-of-way dedication is involved" means that adequate access to such lot is provided by an approved existing street (public or private).

(Ord. of 4-13-04, § 1(5.3))

Sec. 17-94. Classifications of subdivisions.

- a. *Minor subdivision:* A subdivision creating four (4) lots or less, fronting on an existing public road which:
1. Does not involve any new dedication of public right-of-way to give access to interior lots or parcels other than widening approved existing streets;
 2. Does not involve the extension of public water or sanitary sewage lines other than laterals to individual lots;
 3. Will not adversely effect the development of the remainder of the parcel or of adjoining property;

4. Will not create any new or residual parcels that do not satisfy the requirements of this article or other applicable local and state controls.
- b. *Major subdivision*: Any subdivision other than a minor subdivision. The major subdivision approval process is a two-step procedure involving town council approval of a preliminary plat and administrative approval of a final plat.
- c. *Commercial development subdivision*: A subdivision is a subdivision of an existing development on a zoning lot or recorded parcel that consists of commercial and/or office uses. Such a subdivision would create two (2) or more individual lots plus land developed and designated for the common use and benefit of the occupants/owners of the individual commercial subdivision lots provided:
 - d. That an entity is designated to be legally responsible for maintenance and control of common land areas;
 - e. That the property has an approved site plan, valid for the development, prior to application for commercial subdivision;
 - f. That all parking areas, drive aisles, and open space if applicable, shall be the common land area; and
 - g. The individual lots within a commercial subdivision shall not be required to meet the lot design standards of this chapter, providing the zoning lot containing the commercial subdivision meets such standards.

(Ord. of 4-13-04, § 1(5.4))

Sec. 17-95. Procedures for approval of minor or commercial development subdivisions.

Applications for minor or commercial subdivision approval, along with any required fees, shall be filed with the planning director. The planning board shall prescribe the form of applications as well as any other material that may reasonably be required to determine compliance with this division. Minor or commercial subdivision plats shall comply with the mapping requirements of the town. The planning director shall not accept an application unless it complies with such requirements. An incomplete application shall be returned to the applicant, with a notation of its deficiencies.

1) *Planning director action.*

- a. When an application for minor or commercial subdivision approval is accepted, the planning director shall determine if the plat and application conform with all applicable regulations. He shall take action on an application based solely on the findings as to compliance with applicable regulations and conditions. He shall:
 1. Approve;

2. Approve subject to conditions;
 3. Deny; or
 4. Refer to the major subdivision approval process, if he finds it to be a major subdivision proposal or if requested by the applicant.
- b. If the planning director refers the request to a major subdivision review, an amended application shall be submitted as required in section 17-98 of this article.
 - c. The planning director may impose reasonable conditions on his approval to ensure the subdivision complies with the intent and requirements of this division.

2) *Actions subsequent to decision.*

- a. The planning director shall notify the applicant of his decision on the applicant's application for a minor or commercial subdivision approval and shall file a copy of the decision in the office of the planning department.
- b. The planning director shall endorse his approval on a reproducible Mylar (or similar) original of the final plat if he approves an application, or approves it with conditions. The applicant shall record such plat in the office of the county register of deeds. Approval of any minor or commercial subdivision plat is void if it is not properly recorded within sixty (60) days after the planning director's endorsement of approval. The planning director may extend this deadline provided the applicant has demonstrated a good faith effort to comply with the deadline, but for reasons beyond his control, fails to meet the requirements of the register of deeds for recordation within that period. Plats shall conform to the drawing specifications and certification requirements of the town.

3) *Appeal of decision.* The planning director's decision on a minor or commercial subdivision application may be appealed to the board of adjustment under Article XIV of this chapter.

(Ord. of 4-13-04, § 1(5.5))

Sec. 17-96. Procedures for approval of a major subdivision.

All major subdivisions must have a preliminary plat approval from the town planning board prior to any final plats being recorded with the register of deeds

- 1) *Conference with applicant.* Applicants proposing major subdivisions are encouraged to first consult with the planning department to ensure that the

applicant understands the requirements of this section and any other appropriate town regulations and/or growth management policies.

- 2) The subdivider may submit to the Planning Board, at least 15 days prior to a regularly scheduled meeting of the Planning Board, 15 copies of a sketch plan of the proposed subdivision containing the following information:
 - a. A sketch map of the vicinity of the proposed subdivision showing its location in relation to neighboring tracts, subdivisions, roads and waterways;
 - b. The boundaries of the entire tract in common ownership and the portion of the tract to be subdivided;
 - c. The total acreage to be subdivided;
 - d. The existing and proposed uses of the land within the subdivision and the existing uses of land adjoining it;
 - e. The proposed street layout with approximate pavement and right-of-way width, lot layout and size of lots;
 - f. The name, address, and telephone numbers of the owner and, if applicable, a written and acknowledged statement of the owner designating the subdivider or other person to act as his or her agent for the submission of plats;
 - g. The name, if any, of the proposed division;
 - h. Streets and lots of adjacent developed or platted properties;
 - i. The zoning classification of the tract and of adjacent properties.

- 3) The Planning Board shall review the sketch plan for general compliance with the requirements of this chapter and other applicable policies and shall advise the subdivider of the policies applicable to the proposed subdivision and the procedures to be followed in the preparation and submission of the preliminary and final plats. One copy of the sketch plan shall be retained for the files of the Planning Board.

- 4) *Application submittal requirements – Preliminary Plat.*
 - a. Applications for major subdivision preliminary plat approval shall be filed with the planning department. The planning director shall prescribe the form of applications, as well as any other material he may reasonably require to determine compliance with this division.

 - b. The planning director shall not accept an application unless it complies with such requirements, including written confirmation that the applicant is the owner or agent having a valid ownership interest, or a valid enforceable contract or option for an ownership interest in the property involved. An incomplete application shall be returned to the applicant, with a notation of its deficiencies.

- c. The subdivider shall submit to the Planning Board, at least 15 days prior to a regularly scheduled meeting of the Planning Board, 15 copies of a preliminary plat of the subdivision at a scale of 1 inch to 100 feet, drawn on a sheet 18 inches by 24 inches or such other size as may be required for recording by the Johnston County Register of Deeds.
- d. A professional engineer or a land surveyor currently licensed or registered by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors shall prepare the preliminary plat and shall show or have attached to it a document showing the following information:
 1. Title Block containing:
 - a. Property designation;
 - b. Name of owner;
 - c. Location (including township, county and state);
 - d. Date or dates survey was conducted and plat prepared;
 - e. A scale of drawing in feet per inch listed in words or figures; and
 - f. Name, address, registration number and seal of the land surveyor and/or professional engineer.
 2. A map of the vicinity of the subdivision showing the relationship between the proposed subdivision and the surrounding area;
 3. Corporate limits, township boundaries, County lines if on the subdivision tract;
 4. The names, titles, firm association, addresses and telephone numbers of all owners, subdividers, mortgagees, planners, architects, landscape architects and engineers responsible for the subdivision;
 5. The registration numbers and seals of the professional engineers and land surveyors;
 6. North arrow and orientation;
 7. Boundary lines of the tract to be subdivided, fully dimensioned by lengths and bearings, and the location of existing boundary lines of adjoining lands;
 8. The names of owners of adjoining properties;
 9. The names of any adjoining subdivision of record, proposed or under review;
 10. Minimum building setback lines, front, side, and rear;
 11. The zoning classifications of the tract to be subdivided and adjoining properties;
 12. Existing property lines on the tract to be subdivided and on adjoining properties;
 13. Existing buildings or other structures, watercourses, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining;
 14. Proposed lot lines, lot and block numbers, and approximate dimensions;

15. Lots numbered consecutively throughout the subdivision;
16. Wooded areas, marshes, swamps, vegetation line, ponds or lakes, streams or streambeds and any other natural features affecting the site;
17. Flood hazard, floodway and floodway fringe areas;
18. Base flood elevation data if available;
19. The following data concerning streets:
 - a. Proposed streets;
 - b. Existing and platted streets on adjoining properties and in the proposed subdivision;
 - c. Rights-of-way, location and dimension;
 - d. Pavement widths;
 - e. Approximate grades;
 - f. Design engineering data for all corners and curves;
 - g. Typical street cross sections;
 - h. Street names;
 - i. Type of street dedications; all streets must be designated either public or private; and
 - j. Where streets are dedicated to the public but not accepted into the state system before lots are sold, a statement explaining the status of the street and a draft street maintenance agreement.
20. The location and dimensions of all:
 - a. Utility and other easements;
 - b. Riding trails;
 - c. Natural buffer areas;
 - d. Pedestrian or bicycle paths;
 - e. Parks and recreation areas with specific type indicated;
 - f. School sites;
 - g. Areas to be dedicated to or reserved for public use;
 - h. Areas to be used for purposes other than residential with the purpose of each stated; and
 - i. The proposed ownership and maintenance of recreation and open space lands, trails, paths and the like.
21. The plans for utility layouts including:
 - a. Sanitary sewers;
 - b. Storm sewers;
 - c. Other drainage facilities;
 - d. Water distribution lines;
 - e. Natural gas lines;
 - f. Telephone lines;
 - g. Electric lines;

- h. Cable television lines; and
 - i. Illustrative connections to existing systems, line sizes, the location of fire hydrants, blow offs, manholes, force mains and gate valves and the like.
- 22. Plans for individual water supply and sewage disposal systems, if applicable;
- 23. Site calculations including:
 - a. Acreage in total tract to be subdivided;
 - b. Acreage in parks and recreation areas, areas of environmental concern, and other non-residential uses, by category;
 - c. Total number of parcels created;
 - d. Acreage in the smallest lot in the subdivision; and
 - e. Linear feet in streets.
- 24. The name and location of any property or buildings within the proposed subdivision or with any contiguous property that is located on the U.S. Department of Interior's National Register of Historic Places or which have been deemed to have historical, cultural, or archaeological resources potential by the North Carolina Department of Cultural Resources;
- 25. If any property, or any portion of any property, or any structures, located on any property proposed to be subdivided are determined to be historically, culturally or archaeologically significant, or potentially significant, the Planning Board may require a detailed evaluation of that site or structure. If a detailed evaluation is required and the results of that evaluation establish the validity of a cultural, historical, or archaeological resource, the developer shall be notified in writing by the Planning Director that a 90-day administrative hold on the review of the preliminary plat has been invoked. During this 90-day period, the developer shall take such action as may be necessary to prescriptively remove and preserve any remnant artifacts, relocate or submit plans for the relocation or preservation of any historic structures, or present for the Planning Board's consideration any other mitigation plan to address the historical, cultural or archaeological resources on the property proposed to be subdivided;
- 26. Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street lines, lot line, right-of-way line, easement line and setback line, including dimensions, bearings or deflection angles, radii, central angles and tangent distance for the center line or curved property lines that are not the boundary line of curved streets. All dimensions shall be measured to the nearest 1/10 of a foot and all angles to the nearest minute;
- 27. The accurate locations and descriptions of all monuments, elevations, markers and control points;

28. A copy of any proposed deed restrictions or similar covenants;
29. A copy of the document or documents for the creation and continued operation of the homeowners, landowners or similar association of the consumers of the subdivision;
30. Topographic map when it is determined by the Planning Board that one is needed, with contour intervals and scale as determined by the Planning Board;
31. All certifications and approvals required by state law including proof that when improved in accordance with the preliminary plat the public streets and roads will be eligible for inclusion in the state or town system in accordance with G.S. § 136-102.6, or, if private, will comply with the same standards except for stipulated exceptions;
32. If the subdivision is to be developed in phases, the boundaries of each phase and the sequence in which each phase is to be developed;
33. If the subdivision is within the service area of the Town of Selma water supply system, a statement from the Water and Sewer Director indicating if the proposed subdivision may be connected to that system.

5) *Planning directors report.* The planning director shall forward to the planning board an analysis of an application for major subdivision preliminary plat approval and his recommendation. The planning director shall forward the report to the planning board at its next regularly scheduled meeting.

6) *Planning board review.*

- a. The planning board shall review the application and the planning director's report. All interested parties shall be given the opportunity to speak and ask questions. The planning board may place reasonable and fair limitations on comments, arguments, and questions to avoid undue delay. The applicant shall bear the burden of establishing that he is entitled to approval of the application.
- b. The planning board shall prepare its recommendations and submit a written report to the town council. the planning board may recommend reasonable conditions on its approval to ensure compliance with applicable regulations.
- c. If the planning board recommends approval of the application with conditions, the applicant may amend his application to conform to all or some of the conditions, provided the planning director reviews the amended application for compliance with applicable regulations and certifies that the amendments conform to the conditions of the planning board's recommendation(s). In such cases, the planning director may amend his report to conform to any or all of the planning board's

recommendations. The planning director shall forward his report and the planning board's recommendation(s) to the town council.

7) *Town council review.*

- a. After receiving the planning director's report and the planning board's recommendation, the council shall consider the application.
- b. All interested parties shall be given the opportunity to speak and ask questions. The council may place reasonable and fair limitations on comments, arguments, and questions to avoid undue delay. The applicant shall bear the burden of establishing that he is entitled to approval of the application.

8) *Town council action.*

- a. The council shall act on the application after reviewing the application, the planning director's report, planning board recommendation and public comment thereon.
- b. The council shall base its action on its findings as to conformity with all applicable regulations. Its action shall be one (1) of the following:
 1. Approval; or
 2. Approval subject to conditions; or
 3. Denial.
- c. The council may impose reasonable conditions on its approval to ensure compliance with applicable regulations.

9) *Actions after decision.*

- a. The planning director shall notify the applicant of the council's decision in writing and shall file a copy with the town's planning department.
- b. If the application is approved with conditions, the planning director may issue any permits required to construct, install and use improvements (streets, utilities, storm drainage facilities and recreation areas and facilities for common use) approved as part of the preliminary plat approval, in the manner prescribed in Article VII.
- c. Except for the above improvements, no permit of any type shall be issued to develop any lot or parcel shown on the approved preliminary plat until a final plat showing such lot or parcel is approved and recorded under this article.

10) *Expiration of preliminary plat approval.* Preliminary plat approval, or re-approval, for a major subdivision shall be effective for one (1) year from the date of approval. If a final plat for all or a portion of the subdivision has not been recorded within one (1) year of the preliminary plat approval, the applicant must submit a new application. The planning board may re-approve the application unless they determine that paramount considerations of health, the general welfare, or public safety exist.

11) *Appeal of decision.* The council's decision on an application for a preliminary plat approval for a major subdivision may be appealed to superior court within thirty (30) days of council action by an action in the nature of certiorari.

(Ord. of 4-13-04, § 1(5.6))

Sec. 17-97. Final plat approval.

a) *Application submittal requirements.*

- 1) Applications for final plat approval of subdivisions shall be filed with the planning director. The planning board shall prescribe the form of application, as well as any other material he may reasonably require to determine compliance with this division.
- 2) Final plats shall comply with the mapping requirements and the certification and endorsement requirements of the town, and any applicable requirements of Johnston County which may supersede them.
- 3) For major subdivisions, a preliminary plat for the lots shown on the proposed final plat must have been approved and not expired before a final plat approval application may be accepted. As part of the application for final plat approval, the applicant shall certify one (1) of the following:
 - a. That all required improvements (streets, utilities, storm drainage facilities, street signs, and facilities for common use, if any) approved as part of the preliminary plat approval and serving lots shown on the final plat have been completed;
 - b. That a performance guarantee and description thereof, including sufficient means and procedures, to ensure satisfactory completion of any uncompleted improvements have been posted; or
 - c. That the subdivision shown on the final plat is subject to U.S. Department of Housing and Urban Development regulations that ensure satisfactory completion of any uncompleted improvements.

b) *Planning director's action.* When the planning director accepts an application for final plat approval of a subdivision, the planning director shall determine if the

final plat conforms to all applicable regulations and to an approved valid preliminary plat if a major subdivision. He shall approve or deny the application.

c) *Actions subsequent to decision.*

- 1) If an application for final plat approval of a subdivision is approved, the planning director shall endorse his approval on a reproducible Mylar (or similar) original of the final plat. The applicant shall record the final plat in the office of the county register of deeds.
- 2) Approval of any final plat is void if it is not properly recorded within sixty (60) calendar days after the planning director's endorsement of the approval. The planning director may extend this deadline provided the applicant has demonstrated a good faith effort to comply with the deadline, but for reasons beyond his control, fails to meet the requirements of the register of deeds for recordation within that period. Such plat shall conform to the drawing specifications, certifications and endorsement requirements of the town.

Appeal of decision. The planning director's decision on a final plat approval application may be appealed to the board of adjustment under Article XIV of this chapter.

TOWN OF SELMA, NC
SUBDIVISION ORDINANCE – Continued
DESIGN REQUIREMENTS

(Last Amended: 11 May 2010)

Sec. 17-98. Design of subdivision.

a. *Intent.*

1. Subdivisions should be designed with a street network which provides safe, adequate access to all lots within the subdivision. Extension of a public access to an adjoining property should be considered in the subdivision design where a compelling public need is deemed necessary for orderly development of these adjoining properties. However, the design of the local street network in a subdivision should not encourage large amounts of through traffic, the origins and destination of which are external to the subdivision, to use local roads in the subdivision.
2. Due consideration should be given to preserving important natural features, such as trees, ponds, streams, lakes, as well as historical sites which are of value to the town as a whole.

b. *Applicability of subdivision and general design standards.*

1. The name of the subdivision shall not duplicate nor closely approximate the name of an existing subdivision within the Town's jurisdiction.
2. Each lot in a subdivision shall comply with the lot design standards contained in this division. Newly created or revised lots shall be designed so that any existing structures continue to meet the requirements of this division or so that any existing nonconformity is not increased, enlarged, or extended.
3. The standards of this section, however, do not apply to recreation areas, lots within approved planned unit developments and townhouse lots created as part of a minor subdivision.

c. *Lot size standards.* Lots laid out for commercial or industrial purposes shall be of a size that is adequate to provide for the structure to be located on the site; off-street parking facilities required by the type and use of the development; and any required landscape buffer or screening areas. Lots for residential use shall comply with the provisions of this chapter.

d. *Lot arrangement.* The arrangement of lots in a subdivision shall comply with the provisions of this division and the regulations of the county health department, and shall provide vehicular access to buildings on the lot from an approved street.

e. *Flag lots.*

1. A flag lot shall be permitted, only if necessary, to provide necessary driveway access from a road to an irregular shaped piece of land. No flag lot shall be permitted within a major subdivision or if it increases the number of driveway access onto a state-maintained road.
2. Flag lots shall meet the following requirements:
 - a. A flag lot shall serve only one (1) single-family dwelling and its uninhabited accessory structures. A shared or common driveway may be required on the "flag pole" section of the lot in order to minimize driveway connections onto certain streets;
 - b. The minimum flagpole access width shall be twelve (12) feet;
 - c. The minimum separation between the flagpole portion of the lot and that of another flag lot shall be one hundred (100) feet;
 - d. Where public water is available, the occupied building on the flag lot shall be within five hundred (500) feet of a fire hydrant. This distance shall be measured along the street, then along the flagpole, then in a straight line to the building thereon;
 - e. Where public sewer is available, the occupied building on the lot shall have a gravity service line, or the sewer pump requirements shall be noted on the recorded plat.

Note: The flagpole portion of a lot shall not be used to calculate the area, residential density, width, or setbacks of the lot for the zoning district in which the lot is located.

f. *Access and circulation.*

1. *Type and arrangement of streets.* Streets, including associated bikeways, sidewalks, trails, and transit amenities, shall be arranged, designed, and located in conformance with the Land Use Plan, and any other transportation-related plan instituted by the Town, County, or State.
2. *Principal vehicular access points.* Principal vehicular access points to the subdivision shall be designed to encourage smooth traffic flow and minimize hazard to vehicular traffic, pedestrian and bicycle traffic. Accommodation for controlled turning movements into and out of the subdivision and improvement of the approach street should be considered where existing or anticipated heavy traffic flows indicate need.
3. *Access for emergency, service and school bus vehicles.* Safe and convenient vehicular access shall be provided for emergency, service and school bus vehicles.
4. *Driveway access.* Subdivisions located on highways and other state-maintained roads shall be so designed so that no new subdivided lot shall have a direct driveway connection onto highways and other state-maintained roads, unless it can be demonstrated that the proposed subdivision cannot be feasibly designed, or that no reasonable alternative

exists, to prohibit driveway access onto a highway or other state-maintained road.

5. *Roads & Sidewalks.*

- a. The arrangement, character, extent, width, grade, and location of all roads should be designed in relation to existing and proposed transportation patterns, accepted standards, topographical and other natural features, public convenience and safety, and proposed uses of lands to be served by such roads and existing and potential land uses in adjoining areas.
- b. Public access ways are streets bikeways, and pedestrian ways located within publicly dedicated rights-of-way or easements and accepted for maintenance by the Town of the State. Public access ways shall not be accepted for maintenance unless they meet all applicable standards.
- c. Private access ways are streets, bikeways, and pedestrian ways other than those described as public. Where private access ways provide required access, they shall meet all applicable standards. Provisions for their continued maintenance shall be approved by the Town Council and recorded with the Register of Deeds in a legally valid and binding instrument that describes the properties which the private access way serves and which runs with the land. The maintenance agreement shall apply to all properties which the private access ways serve. It shall contain a provision that at any such time that the private access way is no longer maintained to applicable standards, the Town of Selma, the County, or the State of North Carolina, as appropriate, may provide such maintenance, with the total costs of required maintenance assessed to those properties subject to the agreement.
- d. Streets designed to be permanently dead-end shall terminate in a turnaround of adequate size to accommodate vehicles expected to use the street. This design shall be subject to the review and approval of the Public Works Director and Fire Chief. Streets designed to be dead-end temporarily (such as in a phased development or where a street is to be extended) can terminate in a circular turnaround which is paved with an unobstructed dust-free pervious surface, per the approval of the Public Works Director. A separate, pole mounted "Dead End" sign shall be placed at the closest intersection to the dead end.
- e. Streets should be designed in order to discourage excessive vehicular speeds. Traffic calming techniques are encouraged whenever practical and appropriate.
- f. Unless otherwise specified, streets shall be paved with a minimum of an 8" (compacted thickness) crushed rock base and a minimum of a 3" (compacted thickness) asphaltic concrete surface, or equivalent design.

- g. Streets shall make use of curb and gutter roadway sections. However, in areas where poor subsoil drainage and periodic flooding is determined to be a problem, the developer may be required to use a roadside swale-type design.
- h. The subdivider shall submit, as a part of the preliminary plat, the signed statement of a licensed professional engineer stating that the proposed streets as designed will meet all of the requirements of this chapter. The subdivider shall provide for inspections to ensure that the streets are being constructed in accordance with the approved preliminary plat by an independent licensed professional engineer during the construction process, the reports of which are to be submitted to the Planning Board in accordance with a schedule submitted and approved as part of the preliminary plat. As a part of the final plat the subdivider shall submit a certificate of an independent licensed professional engineer that the streets have been constructed in accordance with the approved preliminary plat.
- i. The developer shall complete the paving of all streets within the development within one year of the recording of the final plat.
- j. Any failure of the streets that occurs within one year of being approved shall be repaired by the developer.
- k. All portions of the roadway remaining unpaved shall be seeded or sodded to ensure stabilization of soils.
- l. Streets, and pedestrian ways to be extended onto adjacent property or into subsequent approved phases of a single development shall be constructed to the common property line or phase boundary.
- m. Where a development impacts, abuts or contains an existing street, bikeway, or pedestrian way that provides required access but does not meet the standards contained herein, improvement of such access way to applicable standards may be required if the development is expected to increase traffic volume and/or affect the capacity of the existing facility.
- n. Names of streets shall reflect the continuity of streets and shall be neither wholly or partially duplicative nor phonetically similar to the name of an existing street within the County.
- o. Street identification signs shall be provided at all street intersections as part of street construction. The location and design of street identification signs shall be approved by the Town Council as in accord with the standards set forth in the *Manual on Uniform Traffic Control Devices for Streets and Highways*.
- p. Street addresses are assigned to properties by Johnston County. Street identification signs shall include assigned block numbers in addition to street names.
- q. Minimum elevations for the crown of the pavement of streets shall be two feet above the 100 year flood elevation as shown in the HUD Flood Boundary and Floodway Maps and/or the Flood Insurance Rate Maps.

- r. Guardrails shall be constructed within the right-of-way wherever the Town Manager determines that guardrails are necessary for the protection of the public.
- s. The developer shall submit with the preliminary plat a detailed soils report prepared by a soils testing company to the Planning Board to establish the suitability of the existing soils for roadway construction for all streets. This requirement may be waived if it can be determined that normal compaction tests would sufficiently guarantee road base suitability. In the event that the soil report and/or site investigation indicates roadway construction requirements different from the standards described herein, the Town Council may require that alternative roadway construction designs be submitted for approval by the Town.
- t. Private roads not within a minor subdivision or planned unit development shall:
 - 1. Be limited to a non-through road;
 - 2. Be paved;
 - 3. Meet all other applicable road construction standards for a private road as set out in this chapter; and
 - 4. Be ensured proper maintenance through the establishment of a homeowners' association or a road maintenance agreement.
- u. All public and private roads shall meet the design and construction standards as specified in this Chapter and those of the NC Department of Transportation and Selma Public Works Department.
- v. Streets shall be built so that refuse collection vehicles will have adequate access to all single family or duplex residential lots. Subdivisions intended for all other uses shall provide dedicated locations for standard front loading dumpsters at regular intervals.
- w. The installation of streetlights is required for all residential subdivisions, according to the following standards, and with approval from the Utilities Superintendent and Chief of Police. For all other divisions, a lighting plan deemed appropriate by the Utilities Superintendent and Chief of Police is required:
 - 1. Fixture specifications shall be provided for approval by the Utilities Superintendent;
 - 2. Street lights should be located an average of 220' apart. A minimum of one street light should be located at every intersection and at the end of every cul-de-sac;
 - 3. Where possible, any street light not located at an intersection should be located in line with side lot lines;
 - 4. On streets with a road bed width of 44' or greater, street lights should be staggered on either side of the street;

5. On streets with a road bed less than 44', street lights should be located on the side with a sidewalk if only one sidewalk exists. Where sidewalks exist on both sides of the street, the streetlights should be staggered;
6. Street lights should be located within the street right-of-way a minimum of 3' from the edge of road pavement or paved sidewalk.

x. All major subdivisions shall include a minimum of 4' wide sidewalks located wholly within the street rights-of-way (whether public or private) constructed of an impervious surface:

1. Every effort should be made to interconnect new sidewalks with the existing sidewalk system;
2. Where required, sidewalks shall extend the entire length of the street right-of-way. Sidewalks along cul-de-sacs may terminate at the narrowest point of the turnaround;
3. Except in cases where an existing sidewalk which does not conform with this chapter is to be extended, the closest edge of the sidewalk shall be no closer than two feet, nor further than four feet from the asphaltic road bed;
4. Sidewalks shall be installed along both sides of the street, unless fewer than six lots front along such street, in which case sidewalks along only one side of the street is permissible.

6. *Relationship to adjoining properties.*

- a. New streets or roads shall be appropriately related to, and coordinated with, adjoining properties, and existing and proposed roadways. Roadways within a proposed subdivision may connect with adjoining properties where necessary to permit the convenient, efficient and safe movement of traffic.
- b. All roads that extend to adjacent properties shall be designated as public roads.

7. *Access to streets.* Every subdivided lot shall front on, or have direct driveway access or dedicated easement to, a public or private street meeting the standards of this chapter.

8. *Subdivision entrances.* At least one paved second entrance, or emergency access easement, will be required for subdivisions exceeding 100 lots.

Note: For determining when a second entrance is required, the count will be cumulative.

- g. *Lot dimensions.* Every subdivided lot shall comply with the minimum lot size, lot width, and street frontage standard as stipulated in this chapter, as well as other standards of the county health department for lots not served by a public water and/or sanitary sewer system as appropriate.
- h. *Partial tract subdivision.* Where the gross land area of a remaining lot in the proposed subdivision is greater than or equal to twice the minimum lot size allowed in the zoning district, the planning director, to ensure future orderly subdivision of lots, and the opening of future streets where needed to serve such potential lots, may require that a conceptual sketch plan of development for the entire tract be submitted with the application for preliminary plat approval.
- i. *Public water and sewage systems.* Where available, subdivisions shall utilize Town water and sewer systems. In the event that a town system is not available, nor cannot reasonably be extended to such division, a county system may be utilized, provided permission is granted from the county. Subdivisions that incorporate a public water distribution system and/or a public sewage collection system, shall require that all future homeowners connect to the public water and/or sewer system prior to the issuance of a certificate of occupancy for their principal structure. All subdivisions incorporating a public water distribution system and/or a public sewage collection system, shall meet the requirements of the Town of Selma Water & Sewer Department.
- j. *Fire protection.* The following fire protection provisions shall apply to all newly platted subdivisions:
 - 1. Regardless of water provider, fire hydrants must be installed as required by the Town of Selma Fire Chief
 - 2. Hydrants must be 5: dry barrel hydrants and be equipped with 2 2.5 inch outlets and one 4.5 inch outlet with a storz adapter on the 4.5 inch outlet;
 - 3. Every approved lot shall not be more than 500 feet from a fire hydrant;
 - 4. Hydrants must be installed on a minimum 6" water main;
 - 5. All cul-de-sac streets shall have a hydrant installed at the beginning of the turnaround;
 - 6. No area in a subdivision shall have a "dead end" hydrant; all water mains shall be of a "loop system";
 - 7. At least 3" tall 1/2" stroke address numbers shall be posted on a lot during construction visible from the road.

k. *Specifications for preliminary plat and final plat.*

1. The planning director shall prescribe the form(s) on which applications for preliminary plat and final plat are made. The planning director shall prescribe any other material that may be reasonably be required to determines compliance with this chapter, with sufficient copies for necessary referrals and records.
2. The final plat shall be drawn on a Mylar, or similar material, and shall include all necessary endorsements and certificates where applicable.
3. No application shall be accepted or processed by the planning director unless it complies with such submittal requirements.

l. *Distribution of recorded plat.* When approved by the planning director, one (1) original Mylar copy, or similar, of a recorded plat under this article shall be filed with the register of deeds; one (1) blue line copy shall be on file in the town planning department, and one (1) blue line copy shall be on file with the county department of environmental health if applicable.

m. Endorsements. Where applicable, the following certificates and endorsements should be included on the final plat. Other certificates, endorsements, or statements may be required under certain circumstances:

1. Certificate of Survey and Accuracy

The final plat shall be made under the supervision of a surveyor or engineer licensed to practice in the State of North Carolina. The plat shall contain a certificate of survey and accuracy that meets the requirements of registration of Section 47-30 of the General Statutes.

2. Certificate of Ownership

The final plat shall include the following ownership certification, to be signed by all owners of the subdivided property(s):

I hereby certify that I am the owner of the property shown and described hereon, which is located in the jurisdiction of the Town of Selma.

Date Owner/ Print Name

Date Owner/Print Name

3. Certificate of Floodway Information

The final plat shall include the following flood hazard information:

The land shown on this plat (is) (is not) in a Federal Environment Area 100-year Flood Hazard Area. Community Panel No.

_____.

Professional Land Surveyor/Engineer License or Registration Number

4. Planning Director Endorsement

The final plat shall show the following form for the Planning Director endorsement:

Note: This form shall also be used on all exempt, recombination, or minor subdivision plats.

I hereby certify that this plat has been found to comply with the Subdivision Ordinance of the Town of Selma and that this plat is hereby approved for recording in the Register of Deeds of Johnston County, provided that this plat is recorded within 60 days of the final approval;

Approved by the Planning Director, _____ Date _____

5. Certificate of Dedication and Maintenance

The following shall be printed on the final plat over the signature(s) of the owner(s):

The undersigned owner hereby freely dedicates all rights-of-way, easements, streets, recreation area, open space, common area, utilities and other improvements to public or private common use as noted on this plat, and further assumes full responsibility for the maintenance and said improvements until they are accepted for maintenance and control by an appropriate public body or, by an incorporated neighborhood or homeowner's association or similar legal entity.

Property Owner(s) _____ Date: _____

6. Certificate of Improvements

If the required improvements are completed prior to the submission of the final plat, the following certificate shall appear on the plat over the signature of the Planning Director or his designee:

The Planning Director, or his designee, hereby certifies that all improvements required by the Town of Selma Development Ordinance have been installed as specified by the approved preliminary plat for _____ subdivision and that said improvements comply with Town Specifications.

Date: _____ Planning Director

If the required improvements are not completed prior to the submission of the final plat and their completion is not ensured by regulations applicable to developments financed by the U. S. Department of Housing and Urban Development. The following certificate shall appear on the plat over the signature of the Planning Director, or his designee:

The Planning Director hereby certifies that a surety bond, or similar instrument, of as satisfactory amount has been posted with the Town of Selma which surety guarantees that all public improvements will be completed as specified by the approved Preliminary Plat for _____ subdivision within _____ days unless affirmatively extended by the Planning Director. Notice will be duly recorded with the

Register of Deeds if and when said surety is amended or extended prior to completion of all public improvements for which it was posted.

Date: _____ Planning Director

7. Notary Public Required

All certification and endorsements signatures on the final plat except that of the Planning Director or Town Manager shall be notarized by the statement of a Notary Public entered on the final plat.

8. As Built Drawings of Improvements

A set of reproducible construction drawings showing the as-built elevation and location of all improvements of the subdivision including all underground utilities shall be certified by a registered engineer or surveyor and submitted to the Planning Director.

When improvements are completed prior to final plat approval, the as-built drawings shall be submitted with the application for final plat approval. Where a surety bond, or similar instrument, is posted in lieu of completion of improvements, as-built drawings shall be submitted prior to the release of the bond. The bond, or similar instrument, shall not be released until these plans are approved by the Planning Director, or his designee.

9. Notice to Homeowners to Connect To Public Utility System

In subdivisions that provide a public water distribution system and/or a public sewage collection system, other than that provided by the Town of Selma, a note shall be placed on the final plat indicating that all homeowners are required to connect to the public utility system prior to the issuance of a Certificate of Occupancy for their principal structure.

10. Certification of Approval of Individual Water Supply and Sewage Disposal Systems

For lots utilizing an individual drinking water supply and/or sewage disposal system the following shall be placed on the final plat:

I hereby certify that the water supply, sewage disposal systems installed, or proposed for installation for the property shown on this plat, meet the necessary public health requirements.

_____ Date:

County Health Officer or Authorized Representative

11. Disclosure Statement For Private Roads

For developments utilizing private roads, the final plat shall include the following statement of disclosure for completion and maintenance of improvements:

All required improvements, including encroachment agreements, have been certified as complete, except for the listed improvements and these shall be completed by the following dates:

- a) Public road improvements – date of completion _____ and/or
- b) Private Road improvements- date of completion _____

As subdivision/property owner, I ___Buyers/owners name___ of ___property address___,

___Phone number___, am responsible for all required road improvements and maintenance of said road in accordance with the approved preliminary plat or development until approved and taken over by:

- a. North Carolina Department of Transportation for public roads; or
- b. Town of Selma for public roads; or
- c. _____ homeowners association (or other)

Provision to the prospective buyer of any lot or dwelling unit of this development shown on this plat with a written disclosure of their responsibility for completing the required improvements and maintenance of the private road(s).

Notarized signature(s)