

# TOWN OF NAVASSA

## SUBDIVISION REGULATIONS

Town of Navassa  
Brunswick County, North Carolina  
April, 2000

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## TABLE OF CONTENTS

### ARTICLE I. PURPOSE AUTHORITY AND DEFINITION

Section 1001.	Purpose.....	1
Section 1002.	Authority and jurisdiction.....	1
Section 1003.	Definitions.....	1
Section 1004.	Legal Provision.....	5

### ARTICLE II. PROCEDURE FOR SECURING SUBDIVISION APPROVAL

Section 1010.	Sequence of subdivision Process.....	6
Section 1011.	Sketch Plat.....	7
Section 1012.	Preliminary Plat.....	9
Section 1013.	Final Plat.....	10
Section 1014.	Resubdivision.....	12

### ARTICLE III. SPECIFICATION OF MAPS AND PLAT

Section 1020.	Sketch Plat.....	12
Section 1021.	Preliminary.....	14
Section 1022.	Final Plat.....	14

### ARTICLE IV. IMPROVEMENT AND MINIMUM STANDARDS OF DESIGN

Section 1030.	Construction Standards.....	16
Section 1031.	Site Condition.....	16
Section 1032.	Improvements and Guarantees.....	16
Section 1033.	Design Standards.....	17
Section 1034.	Flood Plain or Flood Prone Areas.....	21
Section 1035.	Dedications.....	21

# SUBDIVISION REGULATION OF THE TOWN OF NAVASSA, NORTH CAROLINA

## ARTICLE I. PURPOSE, AUTHORITY AND DEFINITIONS

### 1001. Purpose

The purpose of this ordinance is to achieve orderly growth and development through the regulation of land subdivision, to ensure proper legal description and monumenting of subdivided land, to provide for adequate transportation, utility and public service systems, and to promote the health, safety and general welfare of the town of Navassa.

### 1002. AUTHORITY AND JURISDICTION

This ordinance is adopted pursuant to the authority vested in the town of Navassa by its charter and Chapter 160A of the General Statutes of the State of North Carolina, and shall apply to all subdivisions of land within the limits of the Town of Navassa.

### 1003. DEFINITIONS

For the purpose of this ordinance, the following words, phrases, terms and their derivations shall have the meaning given herein.

Unless the context clearly indicates to the contrary, words used in the present tense include the singular, and words used in the singular include the plural; the word "herein" mean in this ordinance; the "shall" and "must" are mandatory and not directory; the word "structure" and "building" shall include any part thereof; the words "used" and "occupied" shall be construed to include the words "intended, arranged or designed to be used or occupied."

A person shall include a corporation, a partnership and an unincorporated association such as a club; the word; "development" shall be construed so as to include development by cooperative or collective or other similar means of development through common ownership or through the use of leasehold estates; and the words "immediately adjacent" shall be construed to mean all land abutting the subject property and extending two hundred (200) feet therefrom.

The term Planning Board means the Planning Board of Navassa; the term Town Council; means the Town of Navassa Council; term Board of Commissioners means the Brunswick County Board of Commissioners; the term "Board of Adjustment" means the Town of Navassa Zoning Board of Adjustment.

1. Agent - one or more persons designed to represent the applicant before the Planning Board or other Board.
2. Applicant - the legal or beneficial owner or owners of land to be subdivided.
3. Block - an area bounded by one or more streets.
4. Building Inspector - the Building Inspector of the Town of Navassa.
5. Building set back line - a line parallel to the street of the property.
6. Dedication - the transfer of exclusive possession of a parcel of property to the public for public use.
7. Drainage right-of-way - lands required for the installation of storm water sewers drainage ditches, or required along natural stream courses.
8. Easement - Authorization by a property owner for the use of another party, for a specified purpose, of any designated part of said property without conferring exclusive possession.
9. Governing Body - The Navassa Town Council, herein referred to as "Town Council."
10. Lot - a portion of a subdivision separated from other portions to be used as a unit of transfer of ownership and/or for development.
11. Major subdivision - a subdivision of six lots or more or a subdivision of five (5) lots or less that does not meet all requirements of a minor subdivision as set forth in Section 1010 (.2).
12. Minor subdivision - See Section 1010.2.
13. Performance guarantee - a security which may be accepted in lieu of requirement that certain improvements be made before the Planning Board approves a plat, including performance bonds, escrow agreements, and other similar collateral or surety agreements.
14. Plat - a map or plan of a parcel of land which is to be subdivided.

15. Plat, final - a final map or plan of all or a portion of the preliminary plat of a subdivision which is presented to the Planning Board for its final approval.
16. Plat, preliminary - a preliminary map or plan indicating the proposed layout of the subdivision which is submitted to the Planning Board for tentative approval.
17. Plat, sketch - a sketch map or plan of a subdivision of sufficient accuracy to be used for the purpose of discussion and classification.
18. Public sewage disposal system - a system serving two (2) or more dwelling units and approved the Brunswick County Division of Health Department and the North Carolina Department of Environment & Natural Resources.
19. Public water supply - water supply furnishing potable water to ten (10) or more residences or businesses, and provided by the Town of Navassa.
20. Reservation - a reservation of land not involving a transfer of property free from development for a stated period of time.
21. Street - a dedicated and excepted public right-of-way for vehicular traffic.

A. Streets

- (1) Major thoroughfares. Major thoroughfares consist of Interstate Highways other freeway and expressway links, and major streets that provide for the expeditious through urban areas.
- (2) Minor thoroughfares. Minor thoroughfares are important streets in the city system and perform the function of collecting traffic from local access street and carrying it to the major thoroughfare system by facilitating a minor thorough-traffic movement and may also serve abutting property.
- (3) Local street - A local street serves primarily to provide direct access to abutting land and access to higher systems. It offers the lowest level of mobility, and through traffic is usually deliberately discouraged.

B. Specific Type Rural Or Urban Streets

- (1) Cul-de-sac. A cul-de-sac is a short street having but one end open to traffic and the other end being permanently terminated and a vehicular turn around provided.
  - (2) Frontage road. A frontage road is a local street or road that is parallel to a full or partial access- controlled facility and functions to provide access to adjacent land.
  - (3) Alley. A strip of land, owned publicly or privately, set aside primarily for vehicular service to the back or side of properties otherwise abutting on a street.
  - (4) Expressway. An expressway is a divided street or road which serves through traffic with full or partial control of access and generally with grade separations at intersections; however, infrequent at-grade crossings may be permitted.
  - (5) Freeway. A freeway is a divided street or road which serves thorough traffic with full control of access and with grade separations at intersections.
22. Subdivider - any person, firm, or corporation who subdivides or develops any land deemed to be a subdivision.
23. Subdivision - a division of a tract of land into two or more lots, building site, or other divisions for the purpose of sale or building development ( whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; however, the following is not included within this definition and is not subject to any regulations enacted pursuant to this part:
- A. The combination of portions of previously platted lots where no new lots are created.
  - B. The division of land into parcels all greater than ten (10) acres and involving no new street dedication.
  - C. Public acquisition of strips of land along existing streets for street widening.
  - D. The division of a tract in single ownership whose entire area is not greater than two acres into not more than three lots. where no new street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the Town of Navassa as provided in these regulations.

24. Tract in single ownership - a parcel of land which has not been subdivided and of which a survey was recorded prior to the date of this ordinance or which was created under the provisions of this ordinance.

1004. LEGAL PROVISIONS

1. No Services

Until the Planning Board has approved the final plat as required by this Ordinance, no Town facilities or services shall be provided to the subdivision, nor shall any street be maintained by the Town of Navassa. No final plat for any subdivision within the Planning jurisdiction of the Town of Navassa shall be recorded by the Register of Deeds of Brunswick County until it has been approved by Planning Board.

2. Penalties

After the effective date of this ordinance, no land within the planning jurisdiction of the Town of Navassa shall be transferred or sold by reference to, exhibition of, or any other use of a plat showing subdivision of the land until the provisions of this Ordinance are met. If a subdivision or an agent of the owner of any land located within the planning jurisdiction of the Town of Navassa subdivides land in violation of this Ordinance, he shall be guilty of a misdemeanor and such a subdivision may be enjoined by the Town of Navassa through its attorney. Further, violations of this ordinance shall be subject, upon conviction, to fine and/or imprisonment as provided by General Statute 14-4.

3. Separability

If an article, section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such a decision shall not affect the remaining portions of this Ordinance.

4. Variances and Exceptions

If the subdivider or his agent can clearly demonstrate that strict adherence to one or more provisions of this Ordinance is impractical or will cause undue hardship, the Planning Board may permit a deviation from those provisions. A variance shall be granted only when absolutely necessary and will not have the effect of nullifying the intent and purpose of this Ordinance.

5. Appeal

If any Affected party should believe that his rights have violated or than an action by the Planning Board has cause undue hardship, an appeal of such actions within ten (10) days may be submitted to the Planning Board. A publicized public hearing shall

then be held at the next regular meeting of the Planing Board where the party shall have an opportunity to be heard. The Planning Board shall then affirm or reverse its action by a majority vote.

6. Amendments

When any of the terms of this ordinance are found to be contrary to the best interest of the Town, the Planning Board shall hold an advertised Public Hearing to discuss the amendments deemed necessary. Following the Public Hearing the Planning Board may recommend amendments to the Town Council. The Town Council may approve amendments to this ordinance after receipts of recommendations from the Planning Board.

7. Abrogation

All ordinances other than the Zoning Ordinance of the Town of Navassa which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistencies, except for those provisions which impose greater restrictions than those in this ordinance.

8. Effective Date

This ordinance shall become effective upon the date of its adoption, the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_.

9. Compliance with Official Plans

All proposed subdivisions within the Planning and Zoning Jurisdiction of the Town of Navassa must comply in all respects with the requirements of the Zoning Ordinance, the Land Use Plan and any other official adopted plans for the Town.

ARTICLE II. PROCEDURE FOR SECURING SUBDIVISION APPROVAL

1010. SEQUENCE OF SUBDIVISION PROCESS

Whenever and subdivision of land is proposed, before any transfer of ownership is made for a part thereof, the subdivider shall apply for an secure approval of such proposed subdivision in accordance with the following procedure:

1. The subdivider shall prepare a sketch plat for review by the Planning Board as provided in Section 1011.
2. If a proposed subdivision of land meets the following criteria, it may be classified as a Minor Subdivision by the Planning Board.

- A. The subdivision contain not more than five lots including any residual parcels of land.
  - B. All proposed parcels of land meet the requirements of both this ordinance and Zoning ordinance.
  - C. No new streets are required to serve any proposed lots.
  - D. No extension of public utilities is needed for the development of any proposed lots.
  - E. No major drainage improvements will be required to develop any lots.
  - F. The subdivision will not adversely affect the future development of adjoining property.
3. Upon approval of the sketch plat, the following procedure shall be followed:
- A. If the subdivision has been classified as a Minor Subdivision by the Planning Board, the subdivider shall prepare a final plat for review by the Planning Board as provided in Section 1012.
  - B. If the subdivision has been classified as a Major Subdivision by the Planning Board, the subdivider shall prepare a preliminary plat for submission to the Planning Board as provided in Section 1012.
4. Upon approval of the Preliminary Plat, the subdivider of a Major Subdivision shall prepare a final plat for submission to the Planning Board as provided in 1013.

1011. SKETCH PLAT

1. The subdivider of a Minor Subdivision shall file an application for approval of a sketch plat with the Town Clerk not less than fourteen (14) days before the Planning Board meeting at which it is expected to be reviewed.
- A. The application and plat shall include all of the tract held in single ownership and shall indicate all land that is immediately adjacent to the proposed subdivision. A list of the owners of all property immediately adjacent shall accompany the plat.
  - B. The application shall be accompanied by at least five (5)

copies of the plat at time of filing.

2. The Town Clerk shall distribute one (1) copy each to the Chairman of the Planning Board, the Town Engineer, the Town Planner, and the County Health Department for review and recommendation, along with an indication of probable agenda placement.
3. The various reviewing agencies shall forward their comments to the Planning Board prior to the Planning Board meeting at which the review of the plat shall take place. Failure of these agencies to comment before said Planning Board meeting shall be considered a favorable recommendation by the agency.
4. The Planning Board shall make two (2) decisions in regard to the sketch plat.
  - A. The Planning Board shall determine whether the plat may be classified as a Minor Subdivision.
  - B. After the Planning Board has reviewed the sketch Plat, it shall approve, approve conditionally or disapprove the plat. Failure of the Planning Board to act within sixty (60) days after receipt of the plat by the Town Clerk shall be deemed approval, except that the Planning Board may, with the consent of the subdivider, extend this period to a stated future date.
5. After the Planning Board has acted with regard to the approval of the plat, the following notations shall be made:
  - A. If the Planning Board approves a Sketch Plant, a notation of such approval shall be made upon the face of the plat.
  - B. If the Planning Board approves the plat conditionally, a notation of conditions or a reference to the same shall be entered upon the original tracing, and a record of said conditions shall be maintained in the official records of the Planning Board.
  - C. If the Planning Board disapproves the plat, the Planning Board shall specify the reasons for such action in writing to the subdivider.
6. One copy of all approved and signed sketch plats shall be retained by the Planning Board, one copy shall be transmitted to the Town Clerk for public examination, and one (1) copy and the original tracing shall be returned to the subdivider. If a plat has been disapproved by the Planning Board, copies of the reasons for disapproval shall be distributed in the same manner.

1012. PRELIMINARY PLAT

1. The subdivider of a major Subdivision shall file an application for approval of a Preliminary Plat with the Town Clerk not less than fourteen (14) days before the Planning Board meeting at which it is expected to be reviewed.
  - A. The application and plat shall include all of the tract held in single ownership and shall indicated all land that is immediately adjacent to the proposed subdivision. A list of the owners of all property immediately adjacent shall accompany the plat.
  - B. The Application shall be accompanied by at least ten (10) copies of the plat at time of filing, or as many requested by The Planning Board.
2. The town Clerk shall distribute one (1) copy each to the chairman of the Planning Board, The Town Clerk, the Brunswick County Health Department, the Brunswick County School Board, the Town Engineer, the Town Planner and building inspector, the Soil Conservation Service the County tax assessor, the District Engineer of the NC Department of Transportation, and the NC Department of Environment & Natural Resources for review and recommendation, along with an indication of probable agenda placement.
3. The various reviewing agencies shall forward their comments to the Planning board before the Planning Board meeting at which the review of the plat shall take place. Failure of these agencies to comment prior to said Planning Board meeting shall be considered a favorable recommendation by the agency.
4. After the Planning Board has reviewed the Preliminary Plat, it shall approve, approve conditionally, or disapprove the plat. Failure of the Planning Board act within 90 days after receipt of the plat by the Town Clerk shall be deemed approval except that the Planning Board may, with the consent of the subdivider, extend this period to a stated future date.
5. After the Planning Board has acted with regard to the approval of the plat, the following notations shall be made:
  - A. If the Planning Board approves a Preliminary Plat, a notation of such approval shall be made upon the face of the plat.
  - B. If the Planning Board approves the plat conditionally, a notation of the conditions or a reference to the same shall be entered upon the original tracing, and a record of said conditions shall be maintained in the official records of Planning Board.

- C. If the Planning Board disapproves that the plat, the Planning Board shall specify the reason for such action in writing to the subdivider

One copy of all approved and signed Preliminary /Major Plats shall be retained by the Planning Board, one copy shall be transmitted to the Town Clerk for public examination, and one (1) copy and the original tracing shall be returned to the subdivider. If a plat has been disapproved by the Planning Board, copies of the reasons for disapproval shall be distributed in the same manner.

1013. FINAL PLAT

1. Following the approval of the preliminary by the Planning Board, the subdivider shall file a Final Plat of all or any part of the approved preliminary plat with the Town Clerk at least fourteen (14) days prior to the Planning Board meeting at which it is expected to be reviewed .
  - A. Upon approval by the Planning Director, the Final Plat shall be accompanied by a check made payable to the Town Navassa to cover costs associated with final plat review and filing cost. The fee shall be fifty dollars (\$50.00) plus five dollars (\$5.00) per lot.
  - B. Suitable guarantees for the installation of improvements as specified in section 1032. shall accompany the plat.
  - C. The original tracing, a reproducible print, and eight blueline prints shall be submitted.
  - D. The final plat shall be in substantial conformance with the approved preliminary plat approval. A written extension of this time limit may be granted by the Planning Board for a period not to exceed one (1) year.
  - E. The plat shall include irrevocable offers of dedication to the public of all streets, utilities, and other municipal uses.
2. The Town Clerk shall distribute one copy each to the Chairman of the Planning Board and the Town Planner. The remaining copies shall be distributed to the Planning Board.
3. The Planning Board shall make two decision in regard to the Final Plat.
  - A. The Planning Board shall determine whether the plat is in substantial conformance with the approved preliminary plat.

- (1) If the plat is determined to be in substantial conformance with the approved preliminary plat, the Planning Board may review it under the provision of this Section.
  - (2) If the plat is determined to differ substantially from the approved preliminary plat, a new preliminary plat must be prepared, and the subdivider must comply with all provisions of Section 1011. or 1012.
- B. The Planning Board shall approve or disapprove the final plat within forty-five (45) days after receipt of the plat by the Town Clerk. Failure of the Planning Board to approve or disapprove the final plat within the specified time period shall be deemed approval, except that the Planning Board may, with the consent of the subdivider, extend this period to a stated future date.
4. Upon approval of the final plat, such action shall be noted upon the face of the plat and shall be signed by the Chairman of the Planning Board and attested to by the Planning Board Secretary.
  5. If the plat should be disapproved by the Planning Board, such action shall be specified in writing and should be accompanied by a copy of the provisions of this ordinance with which it does not comply. Copies of this statement shall be sent to the Town Clerk and the Subdivider. Upon disapproval, the subdivider may make the necessary changes and submit the revised final plat for consideration under the provisions of this Section.
  6. Upon approval of the final plat by the Planning Board, one (1) print of the plat shall be returned to the subdivider, one (1) reproducible print and one (1) blueline print shall be filed with the Town Clerk, one (1) print shall be forwarded to the Building Inspector, one (1) copy shall be retained by the Planning Board, and one (1) copy shall be forwarded to each appropriate public utility.
  7. The Town Clerk shall file the final plat and all accompanying documents with the Brunswick County Register of Deeds upon approval by the Planning Board.
  8. The approval of a final plat shall not be deemed to constitute or effect the acceptance by the Town of the dedication of any street or other ground, public utility line or other public facility shown upon the plat. Such acceptance may be made concurrently or subsequently by resolution of the Town Council.

1014. Resubdivision

1. For Resubdivision of a major Subdivision, if the Planning Board determines that the propose subdivision is in substantial conformance with a valid approved final plat, the subdivider shall apply for and secure approval of a final plat. If the Planning Board determines that the proposed changes constitute a substantial deviation from the approved preliminary plat, the subdivider shall apply for and secure approval of a revised preliminary plat and subsequently a final plat.
2. For resubdivision of a Minor Subdivision, the subdivider shall apply for and secure approval of a final plat.

ARTICLE III - SPECIFICATIONS OF MAPS AND PLATS

1020. SKETCH PLAT

The Sketch Plat shall be clearly and legibly drawn and shall contain the following information:

1. Description
  - A. A key map showing the entire subdivision and its surrounding area
  - B. The title of the subdivision, by name and plat number, and a north arrow
2. Name and Ownership
  - A. The names and address of the record owner (s), subdivider (s), and the person who prepared the plat.
  - B. The name of all property owners immediately adjacent.
  - C. Current zoning of the proposed subdivision and the property immediately adjacent.
  - D. Any restrictions running with the property which relate to or affect its subdivision, or reference thereto.
3. Features
  - A. Location of existing and proposed property lines, existing structures, and recorded easements.

1021. PRELIMINARY PLAT

The Preliminary/Major Plat shall be clearly and legibly drawn at a scale of not less than one inch equals two hundred feet (1" - 200') by a registered land surveyor, attested to by suitable seal and signature on the plat. The plat shall include the following information:

1. Description

- A. A key map showing the entire subdivision and its location relative to the surrounding area.
- B. The title of the subdivision, by name and plat number, graphic scale, and north arrow.
- C. Location of the boundary lines of the subdivision in relation to any adjoining record survey and any municipal boundaries immediately adjacent.

2. Name and Ownership

- A. The names and addresses of the record owner (s), subdivider (s), and registered surveyor.
- B. The name of all subdivisions immediately adjacent and, for unsubdivided areas, the property owners immediately adjacent as disclosed by current tax records.
- C. Current zoning of the subdivision and property immediately adjacent.
- D. Any restrictions running with the property which relate to or affect its subdivision.

3. Features

- A. Location of existing and proposed property lines, buildings and structures, building setback and street plan lines, streets, utilities, water courses, flood-prone areas (one Hundred (100) year flood plain), railroads, bridges, culverts, drain pipes, lagoons and any other natural features such as wooded areas, marshed, ponds, and streams within the proposed subdivision and immediately adjacent thereto, including the location and width of existing street right-of-way, alleys, roads, railroad rights-of-way and recorded easements.
- B. Land contours with vertical intervals of not more than two (2) feet.

- C. Size of the propose subdivision to the nearest one -hundredth (1/100)of an acre and average lot size in square feet.
- D. Proposed location and final grades of all streets.
- E. Proposed names of all streets.

1022. FINAL PLAT

The final plat shall be drawn in ink on linen or film suitable for reproduction and shall have an outside marginal size of not more than 30 x 40 inches, nor less than 8-1/2 x 11 inches, including a 1-1/2" border on the left side. Where size of land area or legibility require, plats may be place on two more sheets, accompanied by an index showing the entire subdivision. The final plat shall be drawn at a scale of not less than 1" = 200" by a registered land surveyor and attested to by suitable seal and signature on the plat. Any requirement of G. S. 47-30, as amended, and not set forth in this section must be met before the final plat may be accepted by the Register of Deeds for recordation.

1. Description

- A. The title of the subdivision, by name and plat number, graphic scale, north arrow, and approximate magnetic declination, if the magnetic meridian is used. If any part of the subdivision is within 2000 feet of a geodetic horizontal control monument the NC Grind meridian must be used.
- B. A legal description of the property to be subdivided, or reference to same.
- C. Length and bearing of each boundary line of the property as determined by survey, which must mathematically close to one in five thousand (1: 5000 ).
- D. Corporate limits, township boundaries, and county lines.

2. Names and Ownership

- A. Certification that the owner is the legal owner and has given consent to the subdivision.
- B. The name of all subdivision immediately adjacent and for unsubdivided areas, the property owners immediately adjacent, and deed reference thereto, as disclosed by current tax records.

- C. Any restrictions running with the property which relate to or affect its subdivision.

3. Features

- A. Description and location of all monuments and permanent references thereto.
- B. Location and names of all streets and the relationship of streets to adjacent streets shall be indicated.
- C. Designation of all lots including lot numbers and location of all indicated minimum building setback lines.
- D. Size of the subdivision and all lots therein to the nearest one-hundredth (1/100) of an acre, and size of lots to the nearest square foot.
- E. The plans for utility layouts, including sewers, storms sewers, water distribution lines, natural gas, telephone and electric service, illustrating connections to existing systems or plans for individual water supply systems and/or sewage disposal systems. Plans must show line sizes, the location of fire hydrants, blow-offs, manholes, pumps, force mains, and gate valves. Such plans shall be separate documents accompanying the plat.

4. Legal

- A. A certification of the final plat approval, to be signed by the chairman of the Planning Board at the time of such approval.
- B. Certification of dedication by owner of street right-of-way, all other easements, and land intended for public use.
- C. Reference to any related documents required to be recorded with the plat.

## ARTICLES IV. IMPROVEMENTS AND MINIMUM STANDARDS OF DESIGN

### 1030. CONSTRUCTION STANDARDS

1. All standards and specifications of the Town of Navassa, as now or hereafter adopted, shall govern the design, construction, and installation of all improvements. The planning Board may order suspension of work being performed, if said standards and specifications are not being conformed.
2. Prior to the commencement of such construction, the subdivider shall advise the building inspector, in writing, at least fifteen (15) days in advance of such work, that construction is to be commenced. The building inspector shall inspect such work as required by law.

### 1031. SITE CONDITIONS

During construction, the building site shall be maintained by the subdivider in a safe and sanitary manner. Prior to the issuance of an occupancy permit, all stumps, litter, rubbish, brush, weeds, dead trees, roots, debris, and scrap building materials shall be removed by the subdivider.

### 1032. IMPROVEMENTS AND GUARANTEES

1. The subdivider shall provide an adequate drainage system for the proper drainage of all surface water.
  - A. The storm water disposal system shall be connected to an approved system where one exists and shall be adequate for all present and future development. The system shall incorporate proper engineering practices to insure proper drainage.
  - B. No surface water shall be channels or directed into a sanitary sewer.
2. Provision shall be made to convey sanitary waste from each lot smaller than 20,000 square feet in area, through lines of sufficient size, material and capacity to collectors, trunk lines, and on to a public treatment facility. Septic systems shall not be permitted for lots smaller than 20,00 square feet in area.
3. Provisions shall be made to provide each lot with an adequate and continuous supply of potable water. All lots smaller than 20,000 square feet in area shall be connected to a public or central water system.

4. The subdivider shall comply with all requirements of the "North Carolina Sedimentation Pollution Control Act of 1973" and all locally adopted sediment control ordinances.
5. Upon Planning Board approval of the preliminary plat and prior to final plat approval, the subdivider shall secure all improvements specified in this ordinance or shall guarantee their installation as provided by these provisions.
  - A. The Planning Board may, for purposed of approving a final plat, accept a guarantee from the subdivider that construction of the improvements specified in the ordinance shall be made in the form of either a surety bond, a certified check, or cash deposited with the Town of Navassa. Such guarantee shall not be less than 100% of the estimated cost of the improvements. Such guarantee shall not extend for more than twelve (12) months after issuance.
  - B. The subdivider shall guarantee against defects of all utility taps, curbs, gutters, street pavements, sidewalks, drainage facilities, water and sewer lines, and all other improvements for one year.
  - C. The Planning Board shall secure from the subdivider a letter agreeing to maintain the backfill and any improvements located thereon and any ditch connected with the subdivision for a period of one year.
  - D. No final plat shall be approved by the Planning Board unless the Town Clerk provides a written notice acknowledging compliance with the execution of guarantees as approved in this Ordinance.

1033. DESIGN STANDARDS

1. Pavement widths and right-of-way widths shall both be less than the following:

Type of Facility	R.O.W.		Pavement Feet
	Feet		
Streets:			
Principle Arterial (Interstate and Freeways)	200'	12'	per lane; 4 lanes
Minor Arterial (primary highways)	100'	44'	(sts.with curb & gutters)
(US highways, two-digit state highway)		40'	(sts.without curb & gutter)
Mayor Collector (secondary routes)	80'	44'	(sts.with curb & gutter)
(three-digits state roads)	40'		(sts.without curb & gutter)

Minor Collector (four digit state roads)	60'	34'	(sts.with curb & gutter)
	30		(sts.without curb & gutter)
Local Street	50'	30'	(sts.with curb & gutter)
		24'	(sts.without curb & gutter)

Specific Types of Streets:

Cud-de-sac	50'	30'	(sts.with curb & gutter)
		(90'	id. turn-around)
		24'	(sts.without curb & gutter)
		(75'	id. turn around)
Frontage Road (no parking)	50'	28'	(sts.with curb & gutter)
		24'	(sts.without curb & gutter)
Alley (no parking)	24'	18'	

2. The design of all streets and roads shall be in accordance with the accepted policies of the North Carolina Department of Transportation, Division of Highways, as taken or modified from the American Association of State Highways Officials (AASCHO).
  - A. Proposed streets within a subdivision shall conform and be coordinated with the existing street system of the surrounding area where possible.
  - B. Access to the adjacent properties shall be extended by dedication to the boundary of such property.,
  - C. Street jogs with center lines offsets of less than one hundred fifty (150) feet shall be prohibited.
  - D. A tangent at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.
  - E. Cul-de-sacs shall not be longer than eight hundred (800) feet.
  - F. Street names shall not duplicate or closely duplicate existing street names.
  - G. Pedestrian crosswalks shall be located where needed as deemed necessary by the Planning Board.

- H. In cases where over 100 feet of right-of-way is desired, the subdivider shall be required to reserve the amount in excess of 100 feet.
  - I. Grades of arterial and collector streets shall not exceed six (6) percent. Grades on all other streets shall not exceed ten (10) percent. No street having a minimum grade of less than one-half of one percent (0.5%).
  - J. Street intersections shall be as nearly as right angles as possible and in no cases shall be less than sixty (60) degrees.
  - K. All streets and parking areas shall be provided with adequate shading by deciduous trees to maximize cooling during the summer months and heating during the winter months. Trees shall be: (a) spaced a minimum of twenty five (25) feet, (b) alternately spaced on opposing street sides, (c) spaced at regular intervals without regard to property lines, and (d) shall be planted for an entire block at the same time.
  - L. In those proposed subdivisions where curbs and gutters are to be provided, two curb cuts shall be required at each street corner.
  - M. Residential driveway entrances shall not be constructed into principal arteries.
3. Block length and width or acreage within bounding roads shall be a size large enough to accommodate the size of the lot required in the area by the zoning ordinance and to provide adequately for convenient access, circulation, control and safety of street traffic, and sewage disposal.
4. A. Lot dimensions, yards and total lot area shall not be less than required by the zoning ordinance for the district in which the lot is located.
- B. Side lot lines shall generally be at right angles to straight streets and radial to curved streets.
- C. The Planning Board may withhold approval of certain lots where there is doubt of the suitability of those lots for their intended use.
- D. All lots shall have a minimum of 35 feet of frontage upon a street or walkway.

5. Railroads right-of-way, limited access highway right-of-way, and airport runway approaches, where so located as to affect the subdivision of adjoining lands, shall be treated as follows:

A. Railroads right-of-way:

(1) No residential structure shall be proposed for placement on any lot if the horizontal distance from the proposed dwelling to the railroad right-of-way is less than the following:

Number of Nighttime Line-of-Sight*		
<u>Railway Operations</u>	<u>Exposure</u>	<u>Shielded Exposure*</u>
1 - 2	180 feet	30 feet
3 - 5	350 feet	60 feet
6 - 9	500 feet	80 feet
10 or more	600 feet	100 feet

\*A shielded exposure is defined here as an effective barrier or screen that blocks all residential levels of all buildings from line-of-sight to the railroad and has a negligible or no amount of gaping that would allow noise to leak through. any other exposure shall be categorized as "line-of-sight".

- (2) In districts zoned for business, commercial or industrial uses, the nearest street extending parallel or approximately parallel to the railroad shall, where ever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.
- (3) Streets parallel to the railroad when intersecting a street which the railroad at grade shall, to the extent practicable, be at a distance of at least 150 feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

B. Limited Access Highway Right-of-way:

No residential structure shall be proposed for placement on any lot if the horizontal distance from the proposed dwelling to the center of the limited access highway right-of-way is less than three hundred (300) feet. Furthermore, the resultant unused strip located between residential subdivisions and limited access highway right-of-way shall include a buffer of at least twenty-five (25) feet to be reserved for screening (e.g., trees and shrubbery).

C. Airport Runaway Approaches:

No residential, commercial or industrial structures shall be proposed for placement on any lot, the location of which would be in the path of incoming or departing aircraft such that the runway would be less than one thousand (1,000) feet from the proposed structure.

1034. FLOOD PLAIN OR FLOOD PRONE AREAS

Lands known to be within a flood plain or any area known to be subject to flooding shall be so identified on the preliminary plat. Appropriate deed restrictions shall be filed for those lands subject to flooding, prohibiting their development for dwellings or other unless the sites are flood protected as follows:

1. No structures or fill shall be placed in the floodway which would interfere with the natural water course.
2. Streets and utility lines and structures may be placed within the flood plain only if their elevation is raised above maximum flood heights or if there are otherwise flood protected.
3. Dwellings and self-contained sewer disposal units (if used) shall be built at an elevation above maximum flood heights.
4. The subdivision drainage system shall be designed to prevent increased flood flows due to newly developed impervious surfaces and other factors.

1035. All major subdivisions shall provide for the dedication of land for parks or recreation areas at the same time of subdivision. All such tracts of land shall be designed as Public Parks or Recreation Areas on the preliminary and final plats. All such

APPENDIX I  
SUBDIVISION CONTROL SHEET

Name of Subdivision: \_\_\_\_\_  
 Applicant: \_\_\_\_\_ Phone No. \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Conveyer: \_\_\_\_\_ Phone No. \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Applicant's Agent: \_\_\_\_\_ Phone No. \_\_\_\_\_  
 Address: \_\_\_\_\_

Plat

Date Received by Town Clerk: \_\_\_\_\_

	<u>Date Referred</u>	<u>Date</u> <u>Comments Received</u>
Referred to:		
Chairman of Planning Board	_____	_____
Town Engineer	_____	_____
Town Planner	_____	_____
County Health Department	_____	_____
Other: _____	_____	_____

Review scheduled before Planning Board: \_\_\_\_\_

Classified by Planning Board as a Major \_\_\_\_\_ Minor \_\_\_\_\_  
 Subdivision, Date: \_\_\_\_\_

Action taken by Planning Board: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_

Approved with the following conditions: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

PRELIMINARY PLAT

Date received by Town Clerk: \_\_\_\_\_

	<u>Date Referred</u> <u>Received</u>	<u>Date</u> <u>Comments</u>
Referred to:		
Town Engineer	_____	_____
Town Planner	_____	_____
County Health Department	_____	_____
County School Board (Optional)	_____	_____

Building Inspector (Optional) \_\_\_\_\_  
 Soil Conservation Service (Optional) \_\_\_\_\_  
 County Tax Assessor (Optional) \_\_\_\_\_  
 District Engineer \_\_\_\_\_  
 State Hwy Dept. (Optional) \_\_\_\_\_  
 Chairman of Planning Board \_\_\_\_\_  
 Other: \_\_\_\_\_

Review scheduled before Planning Board: \_\_\_\_\_  
 Action taken by Planning Board: Approved \_\_\_\_\_ Disapprove \_\_\_\_\_  
 Approved with the following conditions: \_\_\_\_\_

**AL PLAT**

Received by Town Clerk: \_\_\_\_\_  
 Filing fee paid: Amount \$ \_\_\_\_\_ Date: \_\_\_\_\_

Referred to:

	<u>Date Referred</u>
Town Planner	_____
Town Engineer	_____
Chairman of the Planning Board	_____
Planning Board	_____

Review scheduled by Planning Board: \_\_\_\_\_  
 Action taken by Planning Board: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_  
 Not filed with County Register of Deeds: Date \_\_\_\_\_

APPENDIX II  
FINAL PLAT CERTIFICATIONS

ifications similar to the following shall be prepared and submitted with  
h plat.

Certification of Ownership

I hereby certify that I am the owner of the property shown and described hereon which is located in the subdivision jurisdiction of the Town of Navassa, North Carolina, and that I hereby adopt this plan of subdivision with my free consent.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner(s)

Certification of Dedication

I hereby dedicate all streets, alleys, walkways, parks, easements and other public improvements indicated upon this plat to the public use ever.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner(s)

Certification of Approval of Water Supply and Sewage Disposal Systems

I hereby certify that the water supply and sewage disposal systems installed or proposed for installation in \_\_\_\_\_ Subdivision meet all necessary public health requirements and are hereby approved.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner(s)

Certificate of Survey and Accuracy

I hereby certify that this plat was drawn from an actual survey made under my supervision or from a deed description recorded in Book \_\_\_\_, Page \_\_\_\_ and that the error of closure, as calculated by latitudes and departures, is 1:\_\_\_\_; that the boundaries not surveyed are shown as broken lines plotted from information found in Book \_\_\_\_, Page \_\_\_\_; and that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

(Seal)

\_\_\_\_\_  
Registered Surveyor (Number)

Final Plat Certifications

Certification of the Design and Installation of Required Improvements

I hereby certify that all streets, utilities, and other public improvements have been installed in an acceptable manner and according to the Town of Navassa's specifications and Standards for \_\_\_\_\_  
\_\_\_\_\_ Subdivision or that guarantees for the installation of the required improvements in an amount and manner satisfactory to the Town of Navassa have been received, and that the filing fee for this subdivision has been paid.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Town Clerk

Certificate of Approval by Planning Board

The Town of Navassa Planning Board has approved the final plat of \_\_\_\_\_  
\_\_\_\_\_ Subdivision.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Chairman of the Planning Board

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Planning Board Secretary