

CHAPTER 6
SUBDIVISIONS: PROCEDURES AND STANDARDS
ARTICLE A
REVIEW AND APPROVAL PROCEDURES

9-6-1 EXCLUSION DETERMINATION

If a proposed division of land meets one or more of the exclusions under the definition of "Subdivision" in Chapter 2 (Definitions), the owner shall submit to the Department of Planning and Development maps, deeds, or other materials in sufficient detail to permit a conclusive determination by the Enforcement Officer.

9-6-2 COORDINATION WITH OTHER PROCEDURES

To lessen the time required to attain all necessary approvals and to facilitate the processing of applications, an applicant may start the subdivision approval process simultaneously with applications for land-disturbing permits or other applications for approvals required for a particular project. When a watershed development plan approval is required, that approval shall be a prerequisite to Preliminary Plat approval.

(Ord. of 7-1-93, § 1)

9-6-3 APPROVAL REQUIRED

(a) NO SUBDIVISION WITHOUT APPROVAL

No real property, including property declared under the N.C. Condominium Act (NCGS 47C-1 et. seq.), lying within the City's jurisdiction as now or hereafter fixed shall be subdivided except in conformance with all applicable provisions of this Chapter. Violation of this Subsection shall be a misdemeanor. In accordance with NCGS 160A-375 the Enforcement Officer may withhold or deny any building permit or other authorization on any land lying within the City's jurisdiction that has been subdivided without conformance to all the applicable provisions of this Ordinance.

(b) DATE OF COMPLIANCE

After the effective date of this Ordinance, no plat for the subdivision of land within affected counties shall be filed, accepted for recording, or recorded, nor shall the Clerk of the Superior Court order the recording of a plat until it has been submitted to and approved by the City. (See definition of "Subdivision" in Chapter 2 for exclusions.)

(c) DEDICATION AND ACCEPTANCE

- (1) Rights-of-Way and Easements: The approval and recordation of a plat constitutes dedication to and acceptance by the City and the public of the right-of-way of each public street, alley, or utility easement shown on such plat. The approval and recordation of a plat does not constitute acceptance for maintenance responsibility within such right-of-way or easement. Improvements within such right-of-way or easements, such as utility lines, street paving, drainage facilities, or sidewalks may be accepted for maintenance by the City Council or by the Enforcement Officer authorized to inspect and, where appropriate, accept the dedication of such improvements.

- (2) Open Space: Land designated as public open space on a Final Plat shall be considered to be offered for dedication until such offer is accepted by the City. The offer may be accepted by the City through:
 - a. Express action by the Enforcement Officer; or
 - b. Conveyance of fee simple marketable title (unencumbered financially and environmentally) of the property to the City at the time of Final Plat recordation.

Until such offer of dedication has been accepted, land so offered may be used for open space purposes by the owner or by the owners' association. Land so offered for dedication shall not be used for any purpose inconsistent with the proposed public use.

9-6-4 PRE-APPLICATION CONFERENCE

In the interest of efficiency and economy, every subdivision applicant is strongly encouraged to schedule a pre-application conference with the Planning and Development staff prior to the submission of a Preliminary Plat.

9-6-5 SUBMISSION OF PLANS

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

9-6-6 SKETCH PLAN

(a) REQUIRED FOR STAFF REVIEW

A Sketch Plan is required for staff review whenever adjoining land is owned by the subdivider seeking approval of a major subdivision.

(b) REQUIRED FOR TECHNICAL REVIEW COMMITTEE APPROVAL

A Sketch Plan is required for Technical Review Committee review for any subdivision of property that involves more than fifty (50) lots. Procedures for approval shall correspond to the procedures found in Section 9-6-7 (Preliminary Plat).

(c) PREPARATION

The Sketch Plan shall be prepared in accordance with Appendix-Map Standards and submitted to the Department of Planning and Development.

9-6-7 PRELIMINARY PLAT

(a) REQUIRED

- (1) Preliminary Plat Required: Except as provided in Subsection 9-6-7(a)(2) below, a preliminary plat shall be required for all subdivisions, including Group Developments.
- (2) Condominium Conversions: When existing developments are converted from multifamily residential or group developments to condominium unit ownership, the developer shall submit a declaration of unit ownership, owners association declaration, and a Final Plat for city approval in accordance with Section 9-6-11. For developments undergoing conversions with proposed expansions, a preliminary plat shall be required.

(b) PREPARATION

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

(c) **TRAFFIC IMPACT ANALYSIS**

When required by the city's Policy Regarding Traffic Impact Analysis, a traffic impact analysis shall be submitted for review and approval prior to preliminary plat approval.

(d) **MINOR SUBDIVISIONS**

Plats meeting all requirements of a Minor Subdivision may be approved by the Department of Planning and Development. Any decision by the Department of Planning and Development may be appealed by the applicant to the Technical Review Committee within thirty (30) days of the decision.

(e) **MAJOR SUBDIVISIONS**

The Department of Planning and Development shall present Major Subdivision plats and appealed plats to the Technical Review Committee at its next meeting. The Technical Review Committee shall review the Preliminary Plat for compliance with regulations. This review shall be made by the members of the Technical Review Committee and by any other agencies or officials by referral.

(f) **ACTION BY TECHNICAL REVIEW COMMITTEE**

- (1) Timing: The Technical Review Committee shall take action within thirty (30) days of reviewing the Preliminary Plat.
- (2) Approval: If the Preliminary Plat is approved, the applicant may proceed toward Final Plat approval.
- (3) Conditional Approval: If the Preliminary Plat is granted conditional approval, the applicant shall revise the plat in accordance with the conditions of the approval and resubmit it. The Department of Planning and Development shall review the revised plat and, if it meets all the approval conditions and is otherwise substantially unaltered, shall signify on the plat the change from conditional approval to approval. If the plat is not revised within sixty (60) days to meet the approval conditions, or if the applicant notifies the Department of Planning and Development that he is unwilling to revise the plat, it shall be deemed denied.
- (4) Denials: If the Preliminary Plat is denied, the reasons shall be stated in writing. The applicant may revise and resubmit a plat which has been denied. Decisions of the Technical Review Committee may be appealed by the applicant to the City Council within thirty (30) days of the Technical Review Committee decision.

(g) APPEALS

If the plat is denied or granted conditional approval, or if no action is taken within thirty (30) days by the Technical Review Committee, the applicant may appeal to the City Council within thirty (30) days after denial, conditional approval, or lack of action by the Technical Review Committee. The City Council shall then approve, grant conditional approval, or deny the plat.

(h) APPROVAL PERIOD

Preliminary plat approval shall be valid for two (2) years and may be extended in accordance with the provisions of Section 9-6-12 (Recordation of Final Plats).

(i) FEES

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

(Ord. No. 93-113, Pt. 1(§ 1), 12-13-93; Ord. No. 99-48, Pt. 5, § 1, 5-20-99)

9-6-8 STREET AND UTILITY CONSTRUCTION

(a) REQUIRED

Street and utility construction plans shall be required for all street, water, sanitary sewer, and storm sewer facilities.

(b) PREPARATION

Street and utility construction plans shall be prepared by a registered engineer licensed to practice in the state of North Carolina, and shall be prepared in accordance with Appendix-Map Standards.

(c) PLANS

Street and utility construction plans for all street, water, sanitary sewer, and storm sewer facilities shall be submitted to the City following Preliminary Plat review but shall not be reviewed until the street and utility network on the Preliminary Plat has been found generally satisfactory by the Technical Review Committee. For each subdivision section, the street and utility construction plans shall include all improvements lying within or adjacent to that section as well as all water and sanitary sewer lines lying outside that section and being required to serve that section. No street and utility construction plans shall be approved until the Preliminary Plat has been approved.

(d) STATEMENT OF REQUIRED IMPROVEMENTS

The developer shall submit a statement of required improvements which specifies the length of streets to be constructed and the diameter and length of sanitary sewer and water lines and other required public improvements to be installed by the developer. Said statement shall include all public improvements for which the developer is responsible and the date when said improvements shall be completed.

(e) APPROVAL PERIOD

Street utility construction plan approval shall be valid for two (2) years unless the Technical Review Committee determines that materials or methods shown on the plan pose a threat to the public health or safety. Plan approval shall be extended in conjunction with the extension of Preliminary Plat approval, unless the Technical Review Committee determines that materials or methods shown on the plan pose a threat to public health or safety. Said extension shall expire concurrently with the expiration of the Preliminary Plat.

(f) NO CONSTRUCTION WITHOUT PLAN APPROVAL

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

(g) INSPECTION

Work performed pursuant to approved street and utility construction plans shall be inspected and approved by the City.

- (1) Owners Association Required: When a permanent runoff control structure serves more than one lot within a subdivision, an owners association shall be required for the purposes of ownership and maintenance responsibility.
- (2) Maintenance Responsibility: The owners association shall be responsible for maintaining the completed permanent runoff control structure as directed by the governmental office having jurisdiction for watershed protection and, if the owners association should be dissolved or cease to exist, then in that event, all the owners of record at the time of required maintenance shall be jointly and severally liable for any and all costs attendant thereto.
- (3) Maintenance Note Required on Final Plat: When a subdivision contains a permanent runoff control structure to which subsection (3) above is applicable, each final plat in the subdivision shall contain a prominent note with the full text of subsection (4) above.

- (4) Plat Recordation: The permanent runoff control structure shall be substantially completed and have full design volume available prior to any plat recordation for the site. This may require the cleanout and disposal of sediment from the pond.

(Ord. of 7-1-93, § 1)

9-6-9 PERMANENT RUNOFF CONTROL STRUCTURES AND SOIL EROSION AND SEDIMENTATION CONTROL DEVICES

(a) SOIL EROSION AND SEDIMENTATION CONTROL DEVICES

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

(b) PERMANENT RUNOFF CONTROL STRUCTURES

- (1) Coordination with Streets and Utilities: Any approved permanent runoff control structure may be installed prior to approval of street and utility construction plans. Such plans shall show the location of existing or proposed runoff control structures relative to the proposed improvements to avoid conflicts during construction and after.
- (2) Design and Construction: Runoff control structures shall be designed and installed in accordance with the requirements of Chapter 7, Article A (Watershed Protection Overlay Districts).
- (3) Owners Association Required: When a permanent runoff control structure serves more than one lot within a subdivision, an owners association shall be required for the purposes of ownership and maintenance responsibility.
- (4) Maintenance Responsibility: The owners association shall be responsible for maintaining the completed permanent runoff control structure as directed by the governmental office having jurisdiction for watershed protection and, if the owners association should be dissolved or cease to exist, then in that event, all the owners of record at the time of required maintenance shall be jointly and severally liable for any and all costs attendant thereto.
- (5) Maintenance Note Required on Final Plat: When a subdivision contains a permanent runoff control structure to which subsection (3) above is applicable, each final plat in the subdivision shall contain a prominent note with the full text of subsection (4) above.
- (6) Plat Recordation: The permanent runoff control structure shall be substantially completed and have full design volume available prior to any plat recordation for the site. This may require the cleanout and disposal of sediment from the pond.

(Ord. of 7-1-93, § 1)

9-6-10 OWNERS ASSOCIATIONS

(a) ESTABLISHMENT

- (1) Creation: An Owners' Association shall be established to fulfill requirements of the NC Condominium Act, NC Planned Community Act, or to accept conveyance and maintenance of all common elements (common areas) within a development. The Owners' Association shall be in legal existence prior to the conveyance, lease-option, or other long-term transfer of control of any unit or lot in the development.
- (2) Conveyance: Where developments have common elements serving more than one (1) dwelling unit, these areas shall be conveyed to the Owners' Association, in which all owners of lots in the development shall be members. All areas other than public street rights-of-way, other areas dedicated to the City, and lots shall be designated as common elements. In a condominium development the common elements shall be platted in accordance with the NC Condominium Act. In other developments, the fee-simple title shall be conveyed by the subdivider or developer to the Owners' Association prior to the sale of the first lot.
- (3) Subdivision or Conveyance of Common Elements: Common elements shall not subsequently be subdivided or conveyed by the Owners' Association unless a revised Preliminary Plat and a revised Final Plat showing such subdivision or conveyance have been submitted and approved.
- (4) Minimize Number of Associations: Developments, whether including different land uses, different types of housing, or simply different sections, shall hold the number of Owners' Associations to a minimum. An association may establish different categories of membership, different budgets for the categories, and different rates of assessment when different kinds of services are provided to different categories. Smaller associations under an umbrella (master) association are permitted.
- (5) Owners' Association Not Required: A development involving only two (2) units attached by a party wall (or two separate walls back-to-back) shall not be required to have common elements or an Owners' Association. Such developments without an Owners' Association shall establish a binding agreement between owners to govern any party walls and to ensure reciprocal easement rights needed for maintenance.

(b) SUBMISSION OF OWNERS ASSOCIATION DECLARATION

After Preliminary Plat approval, and before any building permit issuance, it is recommended that the subdivider submit for review and approval a draft of the Declaration of the Owners' Association containing covenants, conditions and restrictions governing the Owners' Association, lots or units, and common elements. Prior to or

concurrently with the submission of the Final Plat for review and approval, the subdivider shall submit a copy of the final Declaration for review and approval. The Declaration shall include provisions for the following:

- (1) Membership: Membership in the Owners' Association shall be mandatory for each original purchaser and each successive purchaser of a lot or unit. Provisions shall be made for the assimilation of owners in subsequent sections of the development.
- (2) Responsibilities of Owners' Association: The declaration shall state that the Association is responsible for:
 - a. Liability insurance and payment of premiums for liability insurance and local taxes;
 - b. Maintenance of all common elements including, but not limited to, stormwater management facilities, utilities, streets, drives, walks, and recreation facilities, at the time such common elements are transferred to the Owners' Association;
 - c. Establish and maintain an escrow account for the maintenance and repair of stormwater management facilities, as required in Section 9-7-5(d)(5);
 - d. Payment of assessments for public and private improvements made to or for the benefit of the common elements.
- (3) Exterior Maintenance of Units: The Owners' Association shall be made responsible for exterior maintenance of all attached units (whether they be dwelling units or nonresidential units); or each unit owner shall be made responsible, with the Owners' Association granted authority to perform such exterior maintenance in the event the unit owner fails to do so in a prompt and satisfactory manner, and to assess the cost of the maintenance against the unit.
- (4) Default By Owners' Association: Upon default by the Owners' Association in the payment to the jurisdiction entitled thereto of any assessments for public improvements or ad valorem taxes levied against the common areas, which default shall continue for a period of six (6) months, each owner of a lot in the development shall become personally obligated to pay to the jurisdiction a portion of the taxes or assessments in an amount determined by dividing the total taxes and/or assessments due to the jurisdiction by the total number of lots in the development. If the sum is not paid by the owner within thirty (30) days following receipt of notice of the amount due, the sum shall become a continuing lien on the property of the owner, his heirs, devisees, personal representatives, and assigns. The taxing or assessing jurisdiction may either bring an action at law against the owner personally obligated to pay the same, or may elect to foreclose the lien against the property of the owner.
- (5) Powers of the Association: The Owners' Association is empowered to levy assessments against the owners of lots or units within the development. Such

assessments shall be for the payment of expenditures made by the Owners' Association for the items set forth in this Section, and any assessments not paid by the owner against whom such assessments are made shall constitute a lien on the lot of the owner.

- (6) Easements: Easements over the common elements for access, ingress, and egress from and to public streets and walkways, and easements for enjoyment of the common elements and for parking shall be granted to each lot owner.
- (7) Maintenance and Restoration: Provisions for maintenance and restoration in the event of destruction or damage shall be established for common elements and party walls. It is recommended that the Owners' Association engage the services of a professional management company and that all inspections and repairs be conducted by qualified personnel.
- (8) Parking Allocation in Nonresidential Developments: In nonresidential owners association developments, the Declaration shall contain the following provision:

"Parking spaces shall be allocated among the individual lots or units in such a manner that each unit is entitled to a sufficient number of parking spaces to comply with this Ordinance for the use intended to be located therein. The Owners Association shall maintain a register listing the total number of parking spaces in the development and the number of spaces allocated to each lot or unit. A copy of this register shall be available to the Enforcement Officer at his request. The Owners Association shall not reduce the number of parking spaces allocated to an individual lot or unit without the express written consent of the owner thereof, and in no case shall the number of parking spaces allocated to an individual unit be reduced to a number below that required by this Ordinance."

- (9) Common Elements and Location:

The common elements shall be listed and the location of common areas or commons elements shall be shown graphically as an attachment to the Declaration of the Owners' Association.

(c) INSPECTION AND APPROVAL OF IMPROVEMENTS

The City shall inspect and approve, where required by this Ordinance, all private improvements prior to transfer of maintenance responsibility to the Owners' Association.

(d) CONVERSION OF NONCONFORMING DEVELOPMENTS

If a nonconforming use or nonconforming building is converted into a condominium or other owners' association development, the Declaration and Final Plat shall disclose such nonconformity and explain potential consequences of such nonconformity in case of substantial damage to the building.

(Ord. No. 93-113, Pt. 2(§ 1), 9-16-93)

9-6-11 FINAL PLAT

(a) REQUIRED

A Final Plat shall be required for all subdivisions except for Group Developments not entailing easement dedication, right-of-way dedication, or permanent runoff control structures. Upon approval of the Preliminary Plat and other required plans, the applicant shall be eligible to submit a Final Plat for approval. Approval of the Preliminary Plat shall constitute tentative approval of the Final Plat if the Final Plat is substantially unchanged from the approved Preliminary Plat. Substantial changes from the Preliminary Plat will require review and re-approval by the Department of Planning and Development for minor subdivisions, or by the Technical Review Committee for major subdivisions, to ensure compliance with existing regulations.

(b) PREPARATION

The Final Plat shall be prepared by a Professional Land Surveyor in accordance with Appendix-Map Standards.

(c) REQUIRED IMPROVEMENTS

No Final Plat shall be approved until all required improvements have been installed by the developer and inspected and accepted by the City, or surety has been provided as set forth in Section 9-3-9 (Sureties or Improvement Guarantees).

(d) ASSURANCE OF COMPLETION OF IMPROVEMENTS

Where the improvements required by this Ordinance have not been completed prior to the submission of the Final Plat for approval, such improvements shall be assured by the owner's submission of an approved irrevocable letter of credit, (for an approved period not to exceed eighteen (18) months), surety bond, certified check or equivalent security, in an amount to be determined by the Enforcement Officer.

(e) CERTIFICATION OF FINAL PLAT

When the Department of Planning and Development has approved a Final Plat, a signed written statement to this effect shall be entered on the face of the plat. This statement is found in Appendix-Map Standards.

(f) PERMITS

Unless otherwise provided, upon recordation of the Final Plat, the subdivider shall be eligible to obtain building and other permits required by this Ordinance.

(g) FEES

A fee according to the Schedule of Fees shall be due and payable when the Final Plat is submitted for approval.

(Ord. of 7-1-93)

9-6-12 RECORDATION OF FINAL PLATS

After approval, a Final Plat must be recorded in the Office of the Register of Deeds within sixty (60) days. No plat shall be regarded as finally approved until such plat has been recorded. If the Final Plat (of all or part of the area shown on the approved Preliminary Plat) is not recorded within two (2) years after Preliminary Plat approval or if there is a lapse of more than two (2) years between the recordings of sections, the Preliminary Plat must be resubmitted to the Technical Review Committee. Such re-submittal shall be in accordance with the requirements of this Ordinance.

9-6-13 THROUGH 9-6-15 (Reserved)

ARTICLE B

DESIGN STANDARDS

9-6-16 SUBDIVISION STANDARDS

(a) GENERAL

- (1) Design: All proposed subdivisions, including group developments, shall comply with this Article, and shall be designed to promote beneficial development of the community, and shall bear a reasonable relationship to the approved plans of the City. The Guidebook of Standards and Practices for Development, published by the City of High Point, shall be a supplement to the provisions of this Ordinance that regulate subdivision and development design. It shall also be considered as a resource for both City and developer in determining compliance with the City's various development review processes, development standards and practices, and in determining general compliance of development proposals with the stated purposes of this Ordinance.
- (2) Development Name: In no case shall the name of a proposed development duplicate or be phonetically similar to an existing development name in the jurisdiction unless the proposed development lies adjacent or in proximity to the existing development.
- (3) Reasonable Relationship: All required improvements, easements, and rights-of-way (other than required reservations) shall substantially benefit the development or bear a reasonable relationship to the need for public facilities attributable to the new development.
- (4) Off-Site Connections: When in the opinion of the Technical Review Committee, it is necessary to connect streets and/or utilities off-site to adjoining streets and/or utilities, said improvements may be required in accordance with city policy.

(b) LOT DIMENSIONS AND STANDARDS

The size, shape, and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated and shall conform to the following (except as provided in Section 9-4-11 (Dimensional Requirements)):

- (1) Conformance to Other Regulations: Every lot shall have sufficient area, dimensions, and street access to permit a principal building to be erected thereon in compliance with all zoning and other requirements of this Ordinance;
- (2) Minimum Building Area: Every lot shall have at least forty percent (40%) of its total area, or three thousand (3,000) square feet, whichever is less, of contiguous buildable area of a shape sufficient to hold a principal building. Said area shall lie

at or be filled to an elevation at least one (1) foot above the one hundred year flood elevation. (Caution: Chapter 7 or federal wetlands regulations will prohibit or restrict fill placement in certain locations.)

- (3) Lot Depth to Width Ratio: No lot shall have a depth greater than four (4) times the width at the minimum front street setback.
- (4) Side Lot Line Configuration: Side lines of lots should be at or near right angles or radial to street lines.
- (5) Lot Lines and Drainage: Lot boundaries shall coincide with natural and pre-existing manmade drainageways to the extent practicable to avoid lots that can be built upon only by altering such drainageways.
- (6) Lots on Thoroughfares: Major subdivisions shall not be approved that permit individual residential lots to access major and minor thoroughfares.
- (7) Access Requirements: All lots must have public street access and frontage meeting the requirements set forth in Chapter 4 (Zoning), or as follows:
 - a. Flag lots approved by the Technical Review Committee meeting the following requirements:
 1. A flag lot shall contain only one (1) single family dwelling and its uninhabited accessory structures;
 2. The maximum flagpole length shall be three hundred (300) feet;
 3. The minimum flagpole width shall be twenty-five (25) feet;
 4. The maximum lot size in areas with public sewer shall be one (1) acre;
 5. The maximum lot size without public sewer shall be three (3) acres. (Note: The flagpole portion of the lot is not used to calculate area, width, depth, coverage, and setbacks of the lot or to provide off-street parking);
 6. Where public water is available, any building on the flag lot must 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 location;
 7. Where public sewer is available, occupied buildings on the flag lot shall have a gravity service line, or the sewer pump requirement shall be noted on the plat; and

8. Use of a single driveway to serve adjoining flag lots or to serve a flag lot and an adjoining conventional lot is permitted and encouraged. In the latter case, the preferred location for the driveway is on the flagpole portion of the flag lot, with the conventional lot granted an access easement over the flagpole; or
- b. Lots and units located in cluster developments, planned unit developments, integrated multiple use developments, and group developments with Owners' Associations in which permanent access is guaranteed by means of approved private streets and/or drives. The development as a whole shall have public street access and frontage in accordance with Chapter 4 (Zoning).

(c) **STREETS**

- (1) Dedication of Right-of-Way: Right-of-way for public streets shall be dedicated to the City pursuant to NCGS 160A, Article 19, Part 2 and other applicable state laws. When dedication cannot be required, any future street right-of-way indicated on adopted thoroughfare plans or collector street plans shall be shown on the plat.
- (2) Conformance with Thoroughfare Plans and Collector Street Plans: The location and design of streets shall be in conformance with applicable thoroughfare plans and collector street plans. Where conditions warrant, right-of-way widths and pavement widths in excess of the minimum street standards may be required.
- (3) Conformance with Adjoining Street Systems: The planned street layout of a proposed subdivision shall be compatible with existing or proposed streets and their classifications on adjoining or nearby tracts.
- (4) Access to Adjoining Property: Where in the opinion of the Technical Review Committee, it is desirable to provide for street access to adjoining property, proposed streets shall be extended to the boundary of such property.

The minimum number of points of street access shall be based on the number of dwelling units in the proposed development as set forth below.

- a. Residential developments with more than fifty (50) lots or dwelling units shall have at least two (2) separate points of public road access.
 - b. Residential developments with more than one hundred fifty (150) lots or dwelling units shall have at least three (3) separate points of public road access.
- (5) Reserve Strips: Reserve strips adjoining street rights-of-way for the purpose of preventing access to adjacent property shall not be permitted under any condition.

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- (6) Street Classification: The final determination of the classification of streets in a proposed subdivision shall be made by the City. Street classifications are defined in Chapter 2 (Definitions).
- (7) Public Street Design Criteria: The street design standards for the street classifications are attached herewith as Table 6-16-1. Right-of-way dedication and paving of streets in and adjacent to the subdivision shall be in conformance with the right-of-way and pavement width requirements of Table 6-16-1. Exceptions to the street design standards may be approved by the Director of Transportation due to special physical constraints. These streets shall be designed in accordance with the City's Standard Specifications and Details for Roads - Structures Utilities, or the NCDOT Subdivision Roads: Minimum Construction Standards, whichever is applicable. Ribbon pavement streets may be allowed for local residential cul-de-sac streets in accordance with the general public street design standards found in the City of High Point's Standard Specifications and Details for Roads, Structures and Utilities (Engineering Services).
- (8) Private Street Design Criteria:
- a. Where Permitted: Private streets shall be permitted in single family detached cluster developments, single family and twin home sections in planned unit developments, townhouses developments, in integrated multiple use developments and in residential developments that are gated or otherwise secured self-contained developments that have their access to public street(s) at one or more secured points.
 - b. Design and Construction: The street design standards are found in Tables 6-16-2 and 6-16-3. The pavement construction design for all private streets will be equivalent to the construction design for local residential streets of the City, unless the developer supplies an alternate pavement design (supported by an engineering study) approved by the City. Exceptions to the street standards may be approved by the Director of Transportation due to special physical constraints. The developer must furnish an engineer's seal and certification that the private streets have been tested and certified for the subgrade, base and asphalt. Common area may need to be widened to include the side ditch section. All cul-de-sacs shall have a minimum forty-foot (40') pavement radius.
 - c. Cul-de-sac Maximum Length: The maximum distance from an intersecting through street to the end of a cul-de-sac shall be twelve hundred (1,200) feet, except that a distance up to sixteen hundred (1,600) feet may be approved in the Watershed Critical Area. Exceptions to these maximum distance standards may be approved by the Director of Transportation due to special physical constraints.
 - d. Owners' Association Required: An Owners' Association shall be required to own and maintain all private streets allowed under this Ordinance.
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- e. Plats: All private streets shall be shown as such on all plats.
 - f. Through Streets: No through street in a residential area connecting two public streets can be designated as a private street unless approved by the Technical Review Committee.
 - g. Connections to Public Streets: All private streets connecting with public streets require approved driveway applications from the City (or NCDOT if applicable). Where street returns are permitted, the developer shall construct a concrete band running parallel with the public street. The width of this band shall extend from the gutter line to the right-of-way line of the public street.
 - h. Sidewalks: Where sidewalks are installed, they shall be in accordance with all applicable standards as specified in this Ordinance and shall meet or exceed the City's standard specifications for sidewalks.
- (9) Street Intersections: Street intersections shall be as nearly at right angles as possible. Property lines at street intersections shall be a tangent connecting points on each right-of-way line, which are located a minimum distance of twenty (20) feet back from the intersection of the two (2) right-of-way lines in residentially zoned areas and fifty (50) feet in nonresidentially zoned areas.
- (10) Streets Crossing Natural Areas: All streets crossing natural areas, wetlands, or stream buffers shall cross at or as near to ninety (90) degrees as possible within topographic limits.
- (11) Spacing Between Intersections: Offset intersections are not desirable and should be avoided. Intersections that cannot be aligned should be separated in accordance with the design standards established by street classification. The higher classification street involved shall determine the distance between intersections along that street. In the event of unusual topography, a distance less than the design standard, but in no case less than one hundred fifty (150) feet, may be approved by the Technical Review Committee.
- (12) Cul-de-sac Maximum Length: The maximum distance from an intersecting through street to the end of a cul-de-sac shall be twelve hundred (1,200) feet, except that a distance up to one thousand six hundred (1,600) feet may be approved in the Watershed Critical Area. Exceptions to these maximum distance standards may be approved by the Director of Transportation due to special physical constraints.
- (13) Temporary Turnarounds: Streets stubbed to adjoining property or to phase lines may be required to have temporary turnarounds at the end of the street sufficient to permit sanitation vehicles to turn around.
- (14) Grades at Intersections: The grade on stop streets approaching an intersection shall not exceed five percent (5%) for a distance of one hundred (100) feet from the centerline of the intersection.

- (15) Street Names: Street names, prefixes, suffixes and addresses shall conform to the guidelines and policies set forth in City's Street Name and Address Assignment (Street Name and Address Assignment Guidelines and Policies. (Appendix)

**TABLE 6-16-1
PUBLIC STREET DESIGN STANDARDS**

CLASSIFICATION	ROW (a) (ft)	PAVEMENT WIDTH (ft) (a), (b)	STOPPING SIGHT DISTANCE (ft)	CENTERLINE RADIUS (ft)	TURNAROUND RADIUS: ROW/PAVE (ft)
MAJOR THOROUGHFARE	90-100	64-68	650	1530	-
MINOR THOROUGH FARE five-lane four-lane	80 68	60 48	550 475	1240 955	- -
COLLECTOR	60	40	400	765	NA
SUB COLLECTOR	56	32	250	440	NA
LOCAL RESIDENTIAL w/ribbon (c) w/curb and gutter	60 50	22 26	200 200	300 300	NA NA
RESIDENTIAL CUL-DE-SAC w/ribbon (c) w/curb and gutter	60 50	22 26	200 200	300 300	50/40 50/40
LOCAL INDUSTRIAL	60	40	325	575	60/50
INDUSTRIAL CUL-DE-SAC	60	40	325	575	60/50

(a) Additional width may be required under Subsection 9-6-16(c)(2), Conformance with Thoroughfare and Collector Street Plans.

(b) Dimensions in this column are from face-of-curb to face-of-curb, except for ribbon pavement.

(c) Ribbon pavement allowed subject to the provisions of the City of High Point's Standard Specifications and Details for Roads, Structures and Utilities (Engineering Services).

**TABLE 6-16-2
PRIVATE STREET DESIGN STANDARDS**

COMMON AREA WIDTH (ft)	PAVEMENT WIDTH (ft)	STOPPING SIGHT DISTANCE (ft)	CENTERLINE RADIUS (ft)	TURNAROUND RADIUS ROW/PAVE(ft)
34(a)	24(b)	150	215	50/40

(a) Common area shall extend a minimum of five (5) feet beyond face-of-curb and shall be free of obstructions. Common area may need to be wider when using ribbon pavement in the WCA.

(b) Pavement width is measured from face-of-curb for curb and gutter streets. Pavement width may be reduced to a minimum of twenty-two (22) feet for ribbon paved streets.

**TABLE 6-16-3
PRIVATE STREET DESIGN STANDARDS
FOR RECREATIONAL VEHICLE PARKS**

PAVEMENT ROW WIDTH (ft)	PAVEMENT WIDTH (ft)	STOPPING SIGHT DISTANCE (ft)	CENTERLINE RADIUS (ft)	TURNAROUND RADIUS ROW/PAVE(ft)
30(a)	20	150	150	50/40

(a) This right-of-way is not dedicated but shall be free of obstructions.

(16) Street and Traffic Control Signs:

a. Street Signs:

1. The City shall erect street name signs at each intersection of public streets. All signs on public streets shall be in compliance with the Manual on Uniform Traffic Control Devices (MUTCD).
2. At each intersection of a named private street or drive with a public street, the City shall erect a street name sign in compliance with the MUTCD. The developer shall pay a fee to the City for each such sign required.
3. At each intersection between private streets or drives, the developer shall be required to erect and maintain signs fabricated with retro reflective material in compliance with the MUTCD. Nonstandard background and letter colors may be allowed for internal private street intersections upon approval by the City of High Point Transportation Director.

b. Traffic Control Signs: The developer shall provide traffic control signs that meet the Manual on Uniform Traffic Control Devices (MUTCD) standards in locations designated by the City.

c. Maintenance: Maintenance of signs on private streets or drives shall be the responsibility of the owner or Owners' Association, as appropriate.

(17) Directional Address Signs:

- a. An orientation of buildings within a group development resulting in multiple private streets or drives, or that obscures certain buildings from plain view from parking and access areas will require the placement of directional address signs.

- b. Directional address signs shall be placed where the multiple private streets or drives intersect, or along the street or drive at each primary entry to the obscured buildings.
- c. Each directional address sign shall show the appropriate addresses or range of addresses and a directional arrow or location instructions as minimal direction information. Except for a logo, such signs shall bear no corporate or development advertising.

(d) BLOCK LENGTH

Blocks shall not exceed a perimeter length of six thousand (6,000) feet, except that a perimeter length of up to twelve thousand (12,000) feet may be approved in the Watershed Critical Area. Perimeter length is the shortest perimeter measurement along the abutting street right-of-way lines.

(e) SIDEWALKS

- (1) General. Sidewalks shall be installed along public streets that are within or abut a subdivision, and at other locations as specified below.
- (2) Required Locations:
 - a. Along both sides of new and existing major thoroughfares and minor thoroughfares, not otherwise subject to lesser requirements.
 - b. Along one side of new and existing collector and sub-collector streets, not otherwise subject to lesser requirements, except that upon review by the Technical Review Committee, both sides may be required where one or more of the following conditions exists:
 - i. The current or projected average daily traffic volume is greater than 8,000 vehicles per day.
 - ii. The posted speed limit is greater than 35 miles per hour.
 - iii. The street is identified as a pedestrian route on the City of High Point Pedestrian Plan.
 - iv. Other pedestrian safety, access, or circulation needs are identified.
 - c. Along one side of new and existing local streets not otherwise subject to lesser requirements, unless other pedestrian safety, access, or circulation needs are identified.
 - d. As required by the regulations of the Traditional Neighborhood District in Section 9-4-3(b)(5)d.

- (3) Exempt Locations:
- a. Along new and existing local and sub-collector residential streets where, upon review by the Technical Review Committee, the following conditions are found to exist:
 - i. The proposed development is within an area consisting predominantly of existing single-family residential development, where no sidewalks are present; and
 - ii. The character and size of the proposed development will not result in substantial additional pedestrian facility needs; and
 - iii. There are no new pedestrian facilities planned that would provide a pedestrian connection to the proposed development.
 - b. Along existing streets in predominantly industrial areas where no sidewalks are present and where, upon review by the Technical Review Committee, a sidewalk is not deemed necessary or feasible.
 - c. Along new and existing cul-de-sac streets and permanent dead-end streets, which are eight hundred (800) feet or less in length, and which are not strategic pedestrian routes.
 - d. Along streets that are North Carolina Department of Transportation controlled access facilities.
- (4) Extent. Sidewalks required by this Ordinance shall be constructed along that portion of the street or streets that the parcel abuts, for the full length of the property line abutting the street or streets. Where sidewalks are required to be installed on one side of a street, the Technical Review Committee shall determine upon which side the sidewalks are to be installed, in accordance with the City's standard specifications for sidewalks.
- (5) Construction Standards. All sidewalks, whether required by this Ordinance or installed voluntarily, shall meet or exceed all applicable standards as specified herein and in accordance with the City's standard specifications for sidewalks. Preliminary subdivision plats and/or site plans shall address phasing and timing criteria and shall propose a maximum time frame for sidewalks to be installed.

(f) UTILITIES

- (1) Public Water and Sewer Construction Requirements: Water and sewer lines, connections, and equipment shall be constructed in accordance with the City's Standard Specifications and Details for Roads - Structures - Utilities, or the NCDOT Subdivision Roads: Minimum Construction Standards, whichever is applicable.

- (2) Water and Sewer Connections: Connection of each lot to public water and sewer utilities shall be required if the proposed subdivision is within three hundred (300) feet of the nearest adequate line of a public system, provided that no geographic or topographic factors would make such connection infeasible. Where public sewer is not available, lots shall meet applicable County Environmental Health Division regulations. Approval of the Environmental Health Division shall be obtained after Preliminary Plat approval. The Final Plat shall show the Certificate of Approval from the Environmental Health Division as shown in Appendix-Map Standards.
- (3) Underground Utilities: Electrical, community antenna, television, and telephone utility lines installed within major subdivisions shall be underground unless the Technical Review Committee determines underground installation is inappropriate.
- (4) Utility Easements:
 - a. Widths: To provide for electric, telephone, gas, and community antenna television services; conduits; and water and sewer lines within a subdivision, appropriate utility easements not to exceed thirty (30) feet in width shall be provided. The location of such easements shall be reviewed and approved by the Technical Review Committee, with advice from utility providers, before Final Plat approval.
 - b. No Buildings or Improvements: Utility easements shall be kept free and clear of any buildings or other improvements that would interfere with the proper maintenance or replacement of utilities. The City shall not be liable for damages to any improvement located within the utility easement area caused by maintenance or replacement of utilities located therein.
- (5) Electric Utilities:
 - a. Street Lights: All subdivisions and developments involving public streets within the corporate limits shall have public street lights provided and be maintained by the City or the City's agent.
 - b. Electric Service: For subdivisions and developments outside the corporate limits, electric service will be provided by the agency having jurisdiction in the area.

(g) DRAINAGE

- (1) General Requirements:
 - a. This section shall apply to all watercourses that have a drainage basin greater than one and one-half (1.5) acres. In addition, watercourses which are contained in areas of special flood hazard as shown on the FEMA panels are subject to the requirements contained in the Flood Prevention Damage

regulations found in Section 9-7-16. In case of a conflict between this Section and Section 9-7-16, the stricter regulation will apply.

- b. Drainage within all developments affected by this section must be designed using standard engineering practices including those described in the City of High Point Storm Drainage System Design Manual.
- c. No fill, buildings or structures, except for water dependent structures, greenways, utility substations, utilities, roads or other related public improvements, shall be placed or constructed within the protected drainage areas specified in this Section. Parking areas and associated drives may be constructed over enclosed subsurface drains.
- d. Drainage within all developments affected by this section must be handled in any of three systems. The acceptable systems are: enclosed subsurface, open channel on private property, or open channel in a drainageway dedicated to the city.

(2) Determination of Drainage System:

- a. The developer shall determine the drainage system to be used for projects unless the drainage areas meet the criteria in Subsection b. below.
- b. The determination of the drainage system to be used shall be made by the Technical Review Committee if:
 - 1. The area is identified on the Greenway/Open Space Plan; or
 - 2. The drainage basin is greater than 50 acres; or
 - 3. The site is located within the Watershed Critical Area Overlay District; or
 - 4. The watercourse is depicted as a perennial stream on the City of High Point Water Supply Watershed Map.
- c. In determining the drainage system to be used the following factors shall be considered:
 - 1. The type of development;
 - 2. The drainage system(s) employed by nearby developments;
 - 3. The probability of creating a lengthy greenway or open space area to advance the purposes of the adopted Greenway/Open Space Plan;
 - 4. The probability of creating future maintenance problems;

5. The probability of erosion or flooding problems and;
 6. The pipe size necessary to handle drainage.
- (3) Drainage Systems:
- a. Enclosed Subsurface Drains (Storm Sewers):
 1. Enclosed subsurface drainage systems shall be designed and constructed using standard engineering practices including those described in the City of High Point Storm Drainage System Design Manual.
 2. Enclosed subsurface drainage systems on private property shall be protected as provided in Section 9-6-16(g)(3)d. and Table 6-16-4.
 - b. Open Channel on Private Property:
 1. If open channels on private property are used as a drainage system, they shall be designed using standard engineering practices including those described in the City of High Point Storm Drainage System Design Manual.
 2. Open channel drainage systems on private property shall be protected as provided in Section 9-6-16(g)(3)d. and Table 6-16-4.
 - c. Open Channels in Drainageway and Open Space Areas Dedicated to the City of High Point:
 1. The Technical Review Committee may require that the drainageways which are identified on the Greenway/ Open Space Plan be dedicated to the City of High Point.
 2. Drainageway and open space shall be dedicated by a recorded plat and shall be labeled "Dedicated to the City of High Point and the public for Drainageway, Greenway and Open Space."
 3. The dedicated drainageway and open space area along any stream shall include the land between the natural one-hundred-year flood contours.
 4. The area to be dedicated may be reduced in width if the applicant demonstrates to the Enforcement Officer that sound engineering practices are being employed.
 5. The dedicated drainageway and open space area shall have a minimum width of sixty (60) feet.
 6. In cases of topographic or other obstacles, additional width may be required to assure reasonable ease of maintenance.

7. Dedicated drainageway and open space shall have sufficient access to a publicly maintained street. If the Technical Review Committee determines that suitable access is not provided, access shall be provided by a suitably located access easement not less than twenty (20) feet in width.
 8. Dedicated drainageway and open space may also be used for drainage, open space, greenways, bikeways, trails, other similar recreation activities, public utilities, and street crossings.
 9. Drainageway and open space shall be left in its natural condition or graded to a cross section and stabilized with permanent vegetative cover approved by the City.
 10. Single family lots abutting property dedicated to the City as drainageway and open space may be reduced in size in accordance with the provisions in Subsection 9-4-11(a)(4) (Lots Adjoining Public Open Space).
- d. Protected Drainage Areas:
1. Open channels and enclosed subsurface drains on private property used for drainage shall be located within a protected drainage area and in no case shall minimum width of the protected area for drainage on private property be less than specified below:

**TABLE 6-16-4
WATERCOURSE PROTECTED AREA WIDTHS**

Area of the drainage basin (acres)	Protected area width (feet, centered)
1.5-23	20
>23-50	30
> 50	100-year flood contour line with a minimum of 35

2. The following restrictions shall apply to all protected drainage areas.
 - i. No fill, buildings or structures, except for water dependent structures, greenways, utility substations, utilities, roads or other related public improvements, shall be placed or constructed within protected drainage areas as provided in Table 6-16-4.
 - iv. Drives, parking areas, or other improvements shall be constructed no closer than two (2) feet horizontally from the top of any back

slope along any open watercourse. Parking areas and associated drives may be constructed over enclosed subsurface drains.

- v. It shall be the owner's responsibility to maintain all watercourses on private property whether enclosed as subsurface drains or remaining as open channels.

3. Protected drainage areas required by the section shall be depicted on the preliminary and final subdivision plat for residential subdivisions. For non-residential subdivisions, protected drainage areas shall be depicted on the preliminary plat. If there is a change in the drainageway due to the proposed grading of the site, the drainage area may be shifted, as long as the revision is depicted on a site plan submitted for Technical Review Committee review and approval is received prior to actual site grading.

(h) FLOOD DAMAGE PREVENTION

- (1) Minimize Flood Damage: All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) Public Utilities: All subdivision proposals shall have public utilities and facilities such as sanitary sewer, gas, electrical and water systems located and constructed to minimize flood damage;
- (3) Drainage: All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and
- (4) Base Flood Elevation Data Required:
 - a. Base flood elevation data shall be provided for all subdivision proposals unless a licensed engineer certifies that the one- hundred-year storm flow for streams in or near the subdivision is less than five hundred (500) cubic feet per second.
 - b. In special flood hazard areas designated by Federal Emergency Management Agency (FEMA) maps, base flood elevation data shall be provided by the owner or designated agent for subdivision proposals and other proposed developments which contain more than fifty (50) lots or five (5) acres. (See Section 9-7-16 for further Flood Damage Protection Regulations.)

(i) SITES FOR PUBLIC USES

In subdividing property, due consideration shall be given by the subdivider to the reservation of suitable sites for schools and other public uses in accordance with NCGS 160 A-372.

(j) PLACEMENT OF MONUMENTS

The Standards of Practice for Land Surveying in North Carolina, as adopted by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, shall apply when installing permanent monuments.

(Ord. No. 93-113, Pt. 2(§ 1), 9-16-93; Ord. No. 93-113, Pt. 1(§ 1), 12-12-93; Ord. No. 94-57, § 1, 12-16-93; Ord. No. 95-55, § 1, 5-18-95; Ord. No. 02-90, Pt. 2,3, (§1), 10-17-02; Ord. No. 03-39, Pt. 2, (§ 1), 6-19-03; Dev. Ord. 05-101, Pt. 6, §1, 12-22-05

