

## **Article 7 Subdivisions**<sup>1</sup>

### **Sec. 7.1 Purpose.**

The purpose of this Article is to guide and regulate the subdivision of land within the town, for sale or building development, to:<sup>2</sup>

- A. Promote the goals, objectives, and policies of the adopted Land Use Plan and any approved/adopted access management plan/study for Town of Unionville,<sup>3</sup>
- B. Ensure the public health, safety and welfare and provide for the sound division of property.
- C. Ensure an adequately planned street system including access by emergency vehicles.
- D. Avoid the overcrowding of the land, the extreme concentration of the population, the preservation of open space, and protection of identified natural areas where appropriate.
- E. Secure safety from fire, panic, and other dangers;
- F. Ensure the division of property is adequate with respect to the anticipated water and sewage systems anticipated for the property, schools, parks, and playgrounds serving residents, and other local infrastructure needs.
- G. Ensure against flood damage, and
- H. Ensure the proper legal description and monumenting of subdivided land consistent with Town of Unionville policy and applicable provisions of State law.<sup>4</sup>

### **Sec. 7.2 Applicability:**<sup>5</sup>

In accordance with State Law, no person may subdivide their land within the planning jurisdiction of Town of Unionville except in accordance with the provisions of this Ordinance.

- A. No subdivision shall be recognized by the Town until a final plat has been approved and signed by the Planning Director of their designee and recorded in the Town of Unionville Register of Deeds Office, including the recordation of any additional documentation required by this Ordinance.<sup>6 7</sup>
- B. In addition to meeting the requirements of this Ordinance, all subdivisions shall meet the requirements of NCGS 47-30 with respect to the preparation of the required plat.<sup>8</sup>
- C. The name of a subdivision shall not duplicate nor closely approximate the name of an

<sup>1</sup> Staff has incorporated, condensed, and revised existing Town of Unionville Subdivision regulations for inclusion within the UDO format. NFOCUS is recommending the overall purpose/intent section be expanded.

<sup>2</sup> Current subdivision standards are noted in Article 4 (part 2) Sections 76 through 83. Section 84 and 85 address subdivision approval. Section 180A addressed standards for Equestrian Oriented Subdivisions. Road standards are in Section 220 and there are tree requirements in Section 311. Finally, there are references to a 'Manufactured Home Park or Subdivision' throughout the current land use ordinance. NFOCUS is collapsing most 'subdivision' related standards into this one Article. NOTE: Manufactured Home Parks are becoming a Conditional Zoning district where the Town will be approving a site plan through a legislative hearing process (currently in Appendix F).

<sup>3</sup> It is important to continuously reference compliance with the adopted Land Use Plan and transportation plan as we go through these processes.

<sup>4</sup> NFOCUS Staff is recommending language referencing the need to ensure compliance with required monumenting standards under State law.

<sup>5</sup> Language further expanding on the overall purpose and intent of the subdivision regulations.

<sup>6</sup> Standard requirement for all subdivision regulations.

<sup>7</sup> Consistent with existing language in Section 77.

<sup>8</sup> NCGS 47-30 is the central section of State law controlling the creation of a plat (i.e., what is and is not required).

existing subdivision within the town. The name of proposed roads within a subdivision shall not duplicate nor closely approximate the name of any existing road within the town.

- D. Application to Bona-fide Farms: Regardless of NC General Statute 160D-903, the standards in this Ordinance shall apply to the subdivision or re-subdivision of land within a bona fide farm, on land occupied by agricultural or forestry activities, or on land taxed in accordance with the present use value standard.
- E. The Ordinance shall not repeal, abrogate, annul, impair, or interfere with any lawfully established subdivisions plats recorded in the Office of the Register of Deeds of Town of Unionville prior to (insert the effective date of this Ordinance).

### **Sec. 7.3 Classification of Subdivisions:**<sup>9</sup>

Subdivisions shall be classified as Exempt, Minor, or Major, in accordance with the provisions of this Section. Review procedures for all subdivisions are contained in Article 3 of this Ordinance.

- A. Exempt Subdivision:<sup>10</sup> In accordance with North Carolina General Statute 160D-802 (a), the following do not constitute a subdivision and are expressly exempt from established review and approval processes, provided that the property's exempt status is confirmed in accordance with the procedures detailed in Article 3 of this Ordinance<sup>11</sup> and compliance with applicable dimensional standards, as contained within this Ordinance, is demonstrated:
  - 1. The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the Town, as detailed within this Ordinance.
  - 2. The division of land into parcels greater than ten acres if no street right-of-way dedication is involved.
  - 3. The public acquisition by purchase of strips of land for widening or opening streets.
  - 4. The division of a tract in single ownership of the entire area of which is no greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the Town as detailed within this Ordinance.
  - 5. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.

Exempt subdivision shall be required to meet all applicable requirements for the granting of zoning and building permits. Approval of an exempt plat is no guarantee of a zoning or building permit application approval.

- B. Minor Subdivision: A subdivision shall be classified as "minor" if it does not:<sup>12</sup>
  - 1. Create more than Five (5) lots, including the residual acreage, following the Conventional subdivision design model, from any one tract of land in any ten-year period.<sup>13</sup>
  - 2. Create more than Ten (10) lots, including the residual acreage, following the Flexible

<sup>9</sup> From an organizational perspective, the regulations need to 'define' what a subdivision is before we get into 'how' they are reviewed. This is a new section grouping all sections of the current Ordinance where the various categories of subdivisions are defined into a central section. This will make it easier for staff and the reader to find necessary information.

<sup>10</sup> Section updated to reflect current 'exempt' subdivision language in State law.

<sup>11</sup> As a reminder, all procedures governing the processing of a subdivision proposal are now located in a central section of the UDO (Article 3).

<sup>12</sup> Consistent with the definition of Minor Subdivision in the current Ordinance.

<sup>13</sup> The 10-year period is a new concept for Unionville.

Development subdivision design model, from any one tract of land in any ten-year period.<sup>14</sup>

3. Involve development of a roadway intended to be maintained by the North Carolina Department of Transportation (NC DOT) or involve the extension of an existing NC DOT maintained roadway.<sup>15</sup>
4. Minor Expedited Subdivision: Consistent with NC General Statute 160D-802 (c), a subdivision shall also be classified as “Minor Expedited” meeting all the following criteria:<sup>16</sup>
  - i. The tract or parcel to be divided is not exempt under the provisions of the Ordinance,
  - ii. No part of the tract or parcel to be divided has been divided within the past 10 years from the date of application submittal,
  - iii. The entire area of the tract or parcel to be divided is greater than five acres,
  - iv. No more than 3 lots result from the division,
  - v. All resultant lots comply with the following:
  - vi. Lot dimension and size requirements of applicable land use regulations,
  - vii. The use of the lot(s) is in conformity with applicable zoning requirements, and
  - viii. A permanent means of ingress and egress is recorded for each lot.<sup>17</sup>

Minor Expedited Subdivisions shall only be required to submit a Final Plat application package and shall be reviewed and acted upon by staff in accordance with the provisions of Section 3.5.10 of this Ordinance.<sup>18</sup>

C. Major Subdivision: Any division of property that:

1. Not classified as an Exempt or Minor Subdivision as detailed herein, or
2. Involves the development of a roadway intended for maintenance by the North Carolina Department of Transportation (NC DOT) or the extension of an existing roadway maintained by NC DOT regardless of the number of proposed lots.

**Sec. 7.4 No Subdivision Until Compliance with Applicable Law:**<sup>19</sup>

A. No Use or Occupancy

1. No person shall use, occupy, or divide any land or authorize or permit the use, occupancy, or division of land under their control, except in accordance with the Ordinance and all other applicable Town, State, and Federal regulations.

B. No Sale or Transfer

<sup>14</sup> As a reminder, the ‘flexible development’ process requires reserved open space area within a project and is intended to try and encourage/promote preservation of natural area within the Town.

<sup>15</sup> If an applicant proposes creation of a roadway that will be maintained by the Department of Transportation (i.e. a public road), staff is recommending it be treated as something other than a Minor Subdivision (consistent with current regulations and policies).

<sup>16</sup> This section incorporates language within NCGS 160D-802 (c), which is not in the current subdivision regulations.

<sup>17</sup> State law does not allow local jurisdictions to require/compel a roadway requirement for a division of property meeting this ‘standard.’ It just requires a permanent means of ingress/egress be established.

<sup>18</sup> State law creates what is commonly referred to as the ‘expedited’ subdivision process, for which the Town can only require a Final Plat application package. There is not much the Town can do to regulate these divisions other than what is references herein.

<sup>19</sup> Expands on existing language.

1. No lots in a subdivision may be sold or titles to land transferred until all the requirements of the Ordinance have been met, except as authorized by NCGS§ 160D-807 inclusive.
2. Pre-sale Contracts: In accordance with NCGS. 160D-807(b), owners or agent are not prohibited from entering into contracts to sell or lease by reference to an approved preliminary plat for which a final plat has not yet been properly approved under this Ordinance or recorded with the register of deeds, provided the contract does all of the following:<sup>20</sup>
  - a. Incorporates as an attachment a copy of the preliminary plat referenced in the contract and obligates the owners to deliver to the buyer a copy of the recorded plat prior to closing and conveyance.
  - b. Plainly and conspicuously notifies the prospective buyer or lessee that a final subdivision plat has not been approved or recorded at the time of the contract, that no governmental body will incur any obligation to the prospective buyer or lessee with respect to the approval of the final subdivision plat, that changes between the preliminary and final plats are possible, and that the contract or lease may be terminated without breach by the buyer or lessee if the final recorded plat differs in any material respect from the preliminary plat.
  - c. Provides that if the approved and recorded final plat does not differ in any material respect from the plat referred to in the contract, the seller or lessor may not require the buyer or lessee to close any earlier than five days after the delivery of a copy of the final recorded plat.
  - d. Provides that if the approved and recorded final plat differs in any material respect from the preliminary plat referred to in the contract, the buyer or lessee may not be required by the seller or lessor to close any earlier than 15 days after the delivery of the final recorded plat, during which 15-day period the buyer or lessee may terminate the contract without breach or any further obligation and may receive a refund of all earnest money or prepaid purchase price.
- C. No Recording Without Prior Approval: No subdivision plat subject to this Ordinance shall be filed or recorded by the Register of Deeds of Town of Unionville until it has been approved in accordance with this Ordinance, and evidence of such approval is entered on the plat.<sup>21</sup>
- D. Residual Acreage: Any residual acreage of a parent tract that is part of any subdivision, including an exempt division, shall be identified on the plat with the remaining acreage and with appropriate notes that the parent tract is not surveyed as required under NC General Statute 47-30.<sup>22</sup>
- E. No Development Until After Subdivision Approval: In cases where development is proposed on a portion of land that is a part of a larger tract intended for subdivision by the landowner or required to be subdivided by applicable law, required permits for development shall not be issued until the subdivision plat has been approved and recorded in accordance with the applicable standards of the Ordinance.
- F. Nothing in this Ordinance is intended to repeal, supersede, annul, impair, or interfere with any existing private agreements or vested rights, provided such agreements or vested rights were lawfully established and remain in effect.
  1. In cases where a standard in this Ordinance conflicts with a private agreement, covenant, or deed restriction established after (insert the effective date of this

<sup>20</sup> While references in Section 77 (C), NFOCUS has expanded to ensure consistency with state allowances.

<sup>21</sup> What does this mean? Planning staff must sign the plat indicating it was approved in accordance with, or is otherwise exempt from, the Ordinance before it can be recorded.

<sup>22</sup> Clarifying language designed to address 'how' the Town views residual acreage.

Ordinance), and the standards in this Ordinance are more restrictive, the standards in this Ordinance shall control.

2. In cases where a private agreement, covenant, or deed restriction conflicts with State or federal law, the private agreement, covenant, or deed restriction shall be void.

#### **Sec. 7.5 Permanent Reference Points and Monuments:**<sup>23</sup>

Monuments shall be included as part of any subdivision, configured and placed in accordance with 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.

#### **Sec. 7.6 Phasing of Subdivisions:**<sup>24</sup>

A. Subdivisions may be developed in phases provided that:

1. The degree and extent of road, water supply, sewage disposal, stormwater management, erosion and sedimentation control, dedication of open space, and other required improvements in the phase and previously approved phases is sufficient to serve or handle all development within the phase.
2. The number of lots and amount of required open space in the phase and any previously approved phases is proportional.

A phasing plan showing the phases of development and the requirements of this Ordinance that will be satisfied in each phase shall be approved by the Planning Director as part of the preliminary plat review process.

#### **Sec. 7.7 Improvements and Performance Guarantees:**<sup>25</sup>

- A. Improvements proposed by the subdivider, or required by this Ordinance, shall be constructed in accordance with the standards and requirements provided herein.
- B. In those instances where said improvements are required to be constructed subsequent to the approval of the Final Plat, plans and specifications for said improvements shall be approved by the appropriate agency and reference to said improvements shall be made part of the Final Plat.
- C. Subdividers are responsible for the construction, installation, and maintenance of required improvements in accordance with the standards in this Ordinance in addition to any applicable federal, state, or town standards to include, but not be limited to, the following:
  1. All roads within the subdivision and improvements to existing roads required for safe and adequate access to the subdivision;
  2. Road signs;
  3. Water supply and wastewater systems, other than individual wells and septic tanks;
  4. Drainage facilities and easements;
  5. Stormwater control measures (SCM);
  6. Erosion and sedimentation control devices;
  7. Proposed/approved recreation amenities;
  8. Fire suppression management facilities;

<sup>23</sup> This is also new language designed to ensure proper reference to the installation of required reference points and monuments for a subdivision. Language was based on recommendations from the Town Attorney.

<sup>24</sup> Current regulations are silent on phasing. Staff has included new language to address.

<sup>25</sup> A brief synopsis of the Ordinance requirements outlining 'what' is required to be completed within a subdivision.

9. Common Open Space, Recreation or Landscape management improvements, areas, and facilities; and
  10. Any other on- or off-site improvements required by this Ordinance or required at the time of preliminary plat approval.
- D. Phasing: If the subdivider records a plat for only a portion of the subdivision for which a preliminary plat was approved, the improvements required to be constructed, installed, and maintained in accordance with said recorded plat shall be those improvements that the Staff deems necessary to serve the lots shown on the recorded plat.
- E. Completion of Improvements:<sup>26</sup>
1. Staff shall not approve a final plat presented for recordation until:
    - a. All required improvements have been completed.
    - b. All required legal documents have been submitted, reviewed and approved by Staff and the Town of Unionville Attorney.
    - c. A performance guarantee has been provided in accordance with the provisions detailed within Section 6.25 of this Ordinance and the provisions of NCGS 160D-804.1.
  2. An improvement shall be deemed completed only after the appropriate public agency has certified that the improvement(s) has been installed in accordance with the approved preliminary plat, the approved construction plan, and in accordance with applicable federal, state, and town regulations.
  3. In lieu of certification from a public agency, Staff is authorized to accept certification from the applicant's licensed professional engineer or licensed professional surveyor or other professional as authorized by the North Carolina General Statutes that the improvements have been installed in accordance with all applicable standards.

**Sec. 7.8 Maintenance of Required Improvements:**<sup>27</sup>

- A. Improvements installed as a requirement of subdivision approval shall be maintained by the subdivider until they are accepted for maintenance by the North Carolina Department of Transportation (NC DOT); utility provider; individual homeowner; Homeowners' or Property Owners' association.
- B. Maintenance Guarantees – Public Roads:<sup>28</sup>
1. Maintenance guarantees shall be required for the purpose of ensuring that roads that are to be dedicated to the public are properly maintained, free from defects, between the time of construction and the time of formal acceptance for maintenance by NC DOT.
  2. A maintenance guarantee shall be in place before any required performance guarantee is released or before any building permits are issued for subdivisions containing public road improvements.
  3. Maintenance guarantees for public road facilities shall stipulate that the subdivider will maintain all required public road improvements, drainage improvements, and

<sup>26</sup> It is important the Ordinance includes detail on what staff's obligations are with respect to the 'approval' or 'denial' of a plat. In this case, staff will not be approving/signing anything until all improvements are installed.

<sup>27</sup> Current regulations are vague on the maintenance of improvements. Staff has included a new section to address potential issues.

<sup>28</sup> Staff has provided specific detail on the need for a developer to maintain roadways, intended to be turned over to NCDOT for maintenance, to an appropriate standard to ensure they are accepted for maintenance by the State when density thresholds are met.

sedimentation and erosion control improvements to the standards of this Ordinance and the DOT until the public road improvements are added to the state-maintained road system. The guarantee shall also state that the subdivider will be responsible for correcting any defects that may arise during the maintenance period and shall remove temporary sedimentation and erosion control measures.

4. Maintenance guarantees shall be in the form of a performance bond, irrevocable letter of credit, or cash escrow account and shall conform to the following:
  - i. The amount of the guarantee shall be at least 15% of the total cost of constructing the public road improvements (excluding the costs of clearing and rough grading).
  - ii. The estimated cost of the required improvements must be itemized and certified by the applicant's licensed professional engineer or licensed professional surveyor if the surveyor was the original preparer of the plans for the subdivision.
  - iii. In the case of minor subdivisions, the subdivider's licensed professional engineer or licensed professional surveyor may provide the itemized cost estimate.
  - iv. Cost estimates must be based on industry norms within Town of Unionville.

#### **Sec. 7.9 Property Owners Association**.<sup>29</sup>

Where a neighborhood, property owners', or homeowner's association or similar legal entity is to be responsible for the maintenance and control of any improvements required as part of subdivision approval, the subdivider shall file, with Staff and record with the final plat, a declaration of covenants and restrictions, articles of incorporation, where required, and/or by-laws as approved in form by the Town Attorney that will govern the maintenance and control of such improvements. Provisions shall include but not be limited to the following:

- A. The association shall be established before any homes are sold and/or any building occupied;
- B. Membership shall be mandatory for each home buyer and all successive buyers;
- C. The association shall be responsible for liability insurance, local taxes and maintenance of recreation, Common Open Space areas, and other facilities, including private streets and utility lines;
- D. The homeowners must pay their pro-rated share of the costs, and any sums levied by the association that remain unpaid shall become a lien on the individual homeowner's property which shall be subordinate only to tax and mortgage liens;
- E. If all or any portion of the property held by the association is being disposed of, or if the association is dissolved, adequate recreation space shall be deeded to Town of Unionville or the appropriate unit of local government to satisfy the public recreation space required by this Ordinance;
- F. The lot owner of each dwelling unit or lot shall have voting rights in the association; and
- G. The homeowners association shall be able to adjust any assessments to meet changed needs.

When articles of incorporation are required, they shall be submitted in the form in which they will be filed with the North Carolina Secretary of State and, upon filing, a copy of the articles of incorporation

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<sup>29</sup> Again, current regulations are vague on maintenance responsibilities in local subdivisions. Staff is including language for those instances where local property owners are intended to assume responsibility for maintenance of infrastructure.

shall be provided to the Planning Department.

**Sec. 7.10 Subdivision Agreements:**<sup>30</sup>

- A. The subdivider of all regulated subdivisions shall record a subdivision agreement outlining the limitations associated with the development of created lots at the Town of Unionville Register of Deeds at the same time the Final Plat is recorded. The purpose of the subdivision agreement is to provide detail on various development limitations that will regulate the overall development of property consistent with the approval of the subdivision.
- B. This subdivision agreement shall, at a minimum, outline the following development criteria for property within the subdivision:
  - i. Required development setbacks for lots within the project,
  - ii. The presence of identified environmental features (i.e. stream buffers, flood plain, wetlands, etc.) an explanation on how development of the lot(s) is impacted, and description of required riparian buffer protections,
  - iii. Identification of soil and septic limitations, if any, for each lot,
  - iv. Access restrictions for the project and individual lots,
  - v. Maintenance requirements for all roadways as well as references to the project's road maintenance agreement, if required,
  - vi. Maintenance requirements for all Common Open Space areas (if any), and
  - vii. All other relevant information associated with the approval of the project by the Town.

**Sec. 7.1 General Design Requirements:**<sup>31</sup>

The following general requirements and principles of land subdivision shall be observed:

**Sec. 7.1.1 Suitability of land.**

- A. In reviewing subdivision proposals, Staff shall consider the overall design of the subdivision with the suitability of the land for development to ensure the platting and development of the subdivision will not create a danger to the health, safety, and welfare of Town of Unionville residents.
- B. Land encumbered by floodway, wetlands, marsh, or springs will be considered unsuitable for development. Property depicted on Flood Insurance Rate Maps (FIRM) as being encumbered by floodway, or which have a cross slope of 50 percent (50%) or more is considered unsuitable for subdivision development. It is the express intent that identified floodway shall be preserved as dedicated open space area through the subdivision process as further detailed herein.<sup>32</sup>

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<sup>30</sup> This is a concept staff has seen work in other jurisdictions and is recommending it for Town of Unionville. As part of the final plat development, staff will create a subdivision agreement outlining development opportunities and constraints for the project. The intent of this document is to be a 'summary narrative' for the project to ensure those purchasing lots within the project are made aware of applicable regulations and limitations.

<sup>31</sup> Current regulations do not have design standards associated with subdivision development. NFOCUS is recommending some minimum standards to assist applicants design their division.

<sup>32</sup> This is a new policy initiative for the Town. This would not impact development of areas within other regulated Special Flood Hazard Areas such as the 1% area of inundation (historically referred to as the 100-year flood zone) or the 0.2% area of inundation (historically referred to as the 500-year flood zone) which could be developed within subject to compliance with the Town's flood damage prevention ordinance.

C. Septic and Well Evaluation:

1. Soils shall be evaluated for suitability or provisional suitability for well and septic tanks, including required repair area, for all proposed lots according to guidelines established in the Laws and Rules for Ground Absorption Sewage Disposal Systems, incorporated herein by reference, by either the Union County Health Department or a licensed soil scientist.

Each lot that does not contain a suitable building site shall be designated on the plat as having restricted development potential and by instrument recorded in the Town of Unionville registry as specifically prescribed by this Ordinance.

2. Where the proposed subdivision is to be connected to a utility system owned and operated by any municipality-associated sanitary district, or to any sanitary facility of the town, but not constructed by the municipality, the final subdivision plat shall be accompanied by a complete set of construction plans for the proposed system, prepared by a registered engineer, and approved by the engineer of the public sewer system or public water system, and the appropriate local, state, and federal agencies.

D. Drainage and Topography: <sup>33</sup> <sub>34</sub>

1. Soil suitability, including slope and drainage, shall be evaluated according to soil characteristics indicated by the Town of Unionville Soil Survey and topography indicated by the U.S. Geological Topographic Maps.
2. Subdivisions shall be designed and laid out to preserve existing drainage patterns and preserve existing topography.
  - a. The subdivider shall provide an adequate drainage system for the proper drainage of all surface water.
  - b. No surface water shall be channeled or directed into a sanitary sewer.
  - c. Where feasible, the subdivider shall connect to an existing storm drainage system.
  - d. Where an existing storm drainage system cannot feasibly be extended to the subdivision, a surface drainage system shall be designed to protect the proposed development from water damage.
  - e. Surface drainage courses shall have side slopes no steeper than three feet of horizontal distance for each one foot of vertical distance.
  - f. The minimum grade along the bottom of a surface drainage course shall be a vertical fall of at least one foot in each 300 feet of horizontal distance.
3. Each lot shall contain a suitable building area safe from inundation and erosion.
4. Sanitary sewer systems, septic tank drainfields, water systems, wells, and adjacent properties shall be protected from inundation by surface water.
5. Roads, driveways, and utilities shall be protected from damage caused by improper stormwater management.

E. Streams, Rivers, Waterways: Consideration shall be given to preserving natural features, such as streams, rivers, and waterways as part of open space areas. This includes defined riparian buffers as required by the State.

<sup>33</sup> Current regulations refer to drainage requirements without a lot of explanation. Staff is recommending expanding existing language to address regulatory compliance concern(s).

<sup>34</sup> Existing drainage regulations begin in Section 261 of the current Ordinance.

**Sec. 7.11.2**      **Lots.** <sup>35</sup>

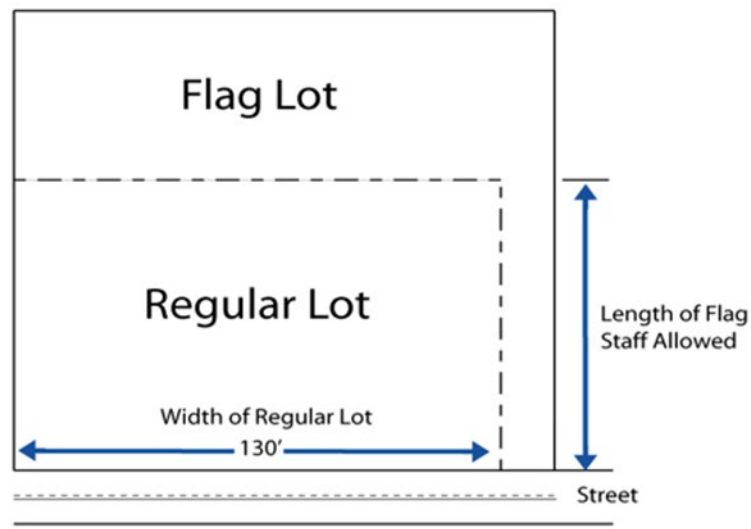
- A. All lots shall conform to all dimensional requirements, including but not limited to minimum required lot size, minimum lot width, lot depth, permitted density, and setbacks, of this Ordinance for the zoning district in which they are located and any overlay district standards in which they are located.
- B. Shape and Orientation:
1. The shape and orientation of lots shall be appropriate to the location of the subdivision and the development intended.
  2. Interior lot lines extending from a street should be perpendicular or radial to the street right of way line.
  3. Lot lines shall be located to permit efficient installation and maintenance of utility lines on utility easements, to maximize buildable area, and, where applicable, to provide a suitable area for septic systems.
  4. Commercial and industrial lots shall be of sufficient size to include all off-street service facilities, and off-street parking of all vehicles used by all patrons and employees.
  5. Lot lines and drainage: Lot boundaries shall be made to coincide with natural and pre-existing topography to the extent practicable to avoid the creation of lots that can be built upon only by altering drainage ways.<sup>36</sup>
- C. Block Design Requirements – Conventional Subdivisions: Blocks shall be laid out taking into consideration traffic circulation patterns, contemplated use, density, proposed open space, and the need to preserve natural features (i.e., special flood hazard area, streams, wetlands, etc.).
1. Blocks shall not be less than 400 feet, nor more than 1,300 feet in length, except where topographic conditions require a greater length. Where additional length is required, there shall be a turn-around meeting the requirements as stated herein, or as recommended by the planning board, and located as near as practical to the first 800-foot point, and each 800-foot point thereafter, but not to vary more than 100 feet shorter or longer.
  2. Blocks shall have sufficient width to allow two tiers of lots of minimum depth, except where single-tier lots are required to separate residential development from through vehicular traffic or another type of use, or when abutting a water area.
- D. Relationship to Street:
1. All subdivisions shall either have direct frontage or abut a State road.
  2. Each proposed lot within a subdivision shall front or abut on a proposed publicly dedicated street except in subdivision approved with private roads constructed pursuant to the applicable standards of this Ordinance.
  3. Reverse Frontage Lots: Except where reverse frontage is deemed desirable in accordance with adopted Town and/or County transportation plans, double frontage lots shall be avoided.
- E. Lot Area Calculation: Required minimum lot area shall be calculated exclusive of any road right-of-way. Areas in a public or private road right-of-way shall not be used to calculate

<sup>35</sup> Staff is recommending they be placed in a central section of the new Ordinance.

<sup>36</sup> Staff would recommend including provisions prohibiting lot boundaries from including area encumbered by special flood hazard areas, riparian buffers, wetlands, etc. These areas, ideally, will be placed in open space.

F. Flag Lot:<sup>39</sup>

1. A flag lot shall be permitted only if determined necessary to allow a property owner reasonable use and benefit from his/her land or to alleviate situations which would otherwise cause extreme hardship. Flag lots shall only be permitted under the following circumstances:
  - (a) To utilize irregularly shaped land;
  - (b) To utilize land with difficult topography;
  - (c) To utilize land with limited sites suitable for septic tank nitrification fields;
  - (d) To provide for the protection of significant natural or cultural resources;
  - (e) To provide access and/or street frontage for Common Open Space areas.
2. The length of a flag lot between the street onto which it has access and the point where a lot dimension parallels the street shall be based on the following:
  - (a) The maximum length allowed on any flag lot is 300 feet.
    - i. Measurement shall be based on the following figure:



- (b) The lot width and street frontage of a flag lot may be reduced to 35 feet.

G. Erosion and sedimentation. To prevent soil erosion and sedimentation of streams, springs, flat water bodies, or other drainage networks, the subdivider shall retain the natural vegetation cover wherever possible. Further, land cleared of the natural vegetation shall be reseeded or replanted to an appropriate vegetation cover as approved by the planning board. All developers must develop an erosion/sedimentation control plan for approval by local, state, and federal agencies.

<sup>37</sup> Current regulations hint at this requirement but are not definitive. Staff is adding a definitive statement with respect to the required calculation of lot area in the Ordinance.

<sup>38</sup> This provision may have to be modified to address potential changes in State law under review by the General Assembly.

<sup>39</sup> This is a new concept for Town of Unionville. Current regulations do not address. While Flag Lots are referenced in Section 211, there are not definitive standards outlining 'how' the lots are created. NFOCUS is changing this.

**Sec. 7.11.3 Access and Roadways.** <sup>40</sup>

- A. Street names. Street names shall be subject to the approval of the Town of Unionville Address administrator.
- B. Consistency with Town Plans: As detailed within the Ordinance:<sup>41</sup>
1. The provision of street rights-of-way shall conform to, and meet the requirements of, the Town of Unionville Comprehensive Land Use Plan and any approved/adopted access management plan/study for Town of Unionville.
  2. Reservation for or dedication of street rights-of-way for future transportation facilities shall be required where appropriate.
  3. A subdivider shall not be required to provide or dedicate right-of-way for a proposed street to which access would be prohibited by any governmental agency.
  4. Collector and minor streets shall be so laid out that their use by through traffic will be discouraged. Streets shall be designed, or walkways dedicated to ensure convenient access to parks, playgrounds, schools, and other places of public assembly.
- C. Coordinated Street System: <sup>42</sup>
1. All subdivisions shall have a coordinated street system with public or private streets that access a public State maintained street in accordance with the following:
    - a. Public street rights-of-way shall abut adjacent properties as necessary to provide connectivity to established local/regional transportation networks; and
    - b. Lot access to streets serving the subdivision shall be limited in the case of streets that provide a link between two or more roads designated in the Town Land Use Plan as arterials or collectors.
    - c. All subdivisions shall have at least one street that intersects with or joins a public State maintained street.
- D. Connectivity: All subdivisions shall be required to extend rights-of-way for proposed public roads to adjacent parcels to promote interconnectivity of the local road network system.
- E. Coordinated Common Open Space System(s)
1. All subdivisions with Common Open Space shall have a coordinated relationship between streets, open space/recreation areas within the subdivision, and where logical and appropriate, shall connect and have access to adjacent Open Space and Conservation areas.
  2. All subdivisions with Common Open Space shall be encouraged to have a coordinated relationship with existing and planned public trails, sidewalks, and greenways.
- F. **Marginal Street Access:** Where a tract of land to be subdivided adjoins a principal arterial street or a major arterial street, the subdivider may be required to provide a marginal access street parallel to the arterial street or reverse frontage on a minor street for the lots to be developed adjacent to the arterial street. Where a reverse frontage is established, private driveways shall be prevented from having direct access to the expressway.
- G. **Road Standards – In general:**
1. All rights-of-way shall be a minimum of 50 feet in width, unless otherwise noted herein

<sup>40</sup> Currently contained in section 212 of the current Ordinance.

<sup>41</sup> Adding additional language referencing compliance with applicable plans.

<sup>42</sup> While referenced in the current Ordinance (Section 214), there is insufficient detail on 'what' is required. NFOCUS is expanding on this existing language.

or required to be larger by the Department of Transportation (NC DOT) or the Town of Unionville Fire Marshal in the enforcement of the State Fire Code.<sup>43</sup>

2. Minimum Construction Standards for Roads: The standards described herein are the minimum set forth by Town of Unionville, who has not determined, and is not responsible for determining, that these standards are adequate or appropriate for all uses by landowners.<sup>44</sup> The standards may not meet NC DOT public road or State Fire Code criteria.

<u>Number of Lots</u>	<u>1 to 5</u> <sup>45</sup>	<u>6 to 20</u>	<u>21 or more</u>
<u>Right of Way Width</u>	<u>50 ft.</u>	<u>50 ft.</u>	<u>NC DOT public road standard (minimum 50-foot-wide right-of-way)</u>
<u>Travel-way width (improved)</u>	<u>18 ft. minimum</u>	<u>18 ft. to 20 ft. minimum in consultation with the Fire Marshal.</u>	
<u>Composition</u>	<u>Gravel/all-weather surface</u>	<u>Paved (asphalt/concrete)</u>	
<u>Road Maintenance Agreement Required</u>	<u>Yes</u>		<u>Yes, until DOT accepts road for maintenance.</u>
<u>Maintenance Responsibility</u>	<u>Property Owners</u>		<u>Property owner/developer until DOT accepts for maintenance.</u>

3. Previous developed rights of way: Rights of way created/platted before the date of this Ordinance shall be considered conforming and shall abide by the following:

- a. Private Roads: The division of additional lots off an existing/platted Private Road shall be permitted provided the right of way serving the new parcels meets the minimum right of way width requirements of this section.

The Town shall not require previous developed Class 1 or 2 roadways (i.e., a minimum of 45 to 50 feet of right-of-way) to be modified as part of a new subdivision proposal. Only the expanded roadway section shall be required to comply with this Ordinance.

4. **Certificate of Construction:**<sup>46</sup>

- a. A registered land surveyor must certify in writing to Staff that the travel way of the Private Road, either existing, upgraded or newly constructed, is within the platted right-of-way.

- b. For subdivisions involving 21 or more lots, a professional engineer must certify in writing to Staff that a Private Road, either existing, upgraded, or newly constructed, meets the standards of the required class for the

<sup>43</sup> NFOCUS Staff is concerned over a lack of current comprehensive street standards in the subdivision ordinance. The Town defers to NCDOT, which has a street right-of-way standard that varies based on the length of the proposed road. The belief in mandating a universal right-of-way width of 50 ft. will allow the Town to work with local property owners and properly accommodate further transportation growth as we will have appropriately created road rights-of-way that can accommodate future road development projects.

<sup>44</sup> This is a blanket statement intended to ensure the Town is not somehow accused to making a 'final and binding determination' on the development requirement with respect to the construction of a roadway.

<sup>45</sup> NFOCUS is asking if the Town wants to allow private roads, versus the access easement model contained in Section 220, that have to be maintained by local homeowners.

<sup>46</sup> The Town needs a mechanism to ensure the road was placed within the defined right-of-way.

subdivision.

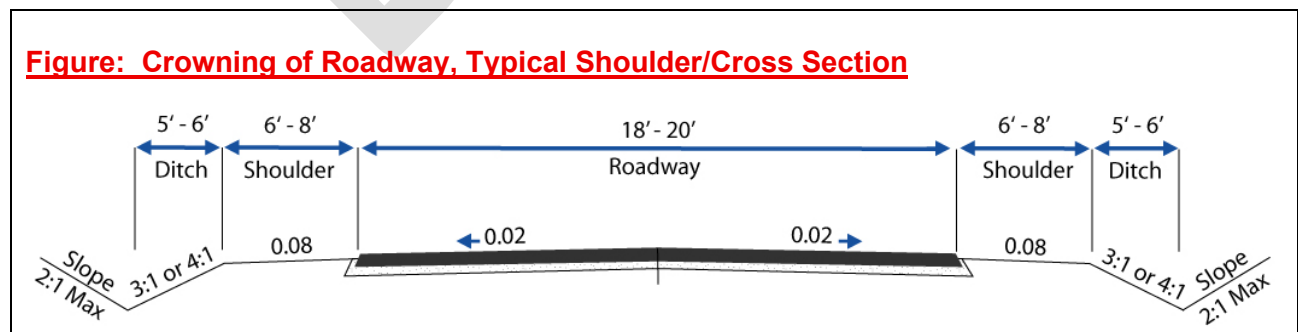
NOTE: Existing roadway installed/constructed prior to the adoption of this Ordinance (date here) shall be exempt from this certification requirement even in the event of extension of the roadway. In this circumstance, an engineer would only be required to certify new roadway.

c. The following must be inspected and certified:

1. The proper material has been used in the travelway, and it is built to the required width and thickness;
2. The shoulders are the correct width, and the typical cross section is in place;
3. The road is on the proper grade;
4. Ditches are in place where necessary to provide adequate drainage, in accordance with sound engineering practice;
5. Necessary storm pipes of proper size, materials and construction are in place and energy dissipaters installed, in accordance with sound engineering practice;
6. All disturbed areas are properly stabilized;
7. The required road sign is in place;
8. An adequate turn-around is in place at the end of the road;
9. Required vertical and horizontal clearance is provided; and
10. Sight distance and construction at the intersection with a public road has been approved by NCDOT.<sup>47</sup>

## 5. Travelway

- The travelway shall be surfaced and compacted with material consistent with the provisions of this Ordinance and the requirements of the NC Department of Transportation.
- A crown should be built into the travelway so that water will drain from the road surface into the side ditch.
- The crown should not be so great as to cause vehicles to slide off the travelway when ice or snow is on the road.
- The road and shoulder should be crowned as shown in the drawing below so that runoff will drain to the ditches on both sides of the road.



<sup>47</sup> NFOCUS Staff is recommending the Town include minimum inspection and reporting criteria for private roads. Members wanted to provide a level of specificity indicating what they were looking for in terms of ensuring the road was built properly and ensuring compliance with applicable standards. This section is an attempt to achieve this goal.

6. **Fill Material:** Where filling is necessary to raise the roadbed, cross watercourses, or fill stump holes, it shall be done with suitable material that is free of roots or other organic matter. Fill material shall be firmly compacted to reduce settlement that will cause ruts or holes in the finished road.
7. **Vertical Clearance:** Each lane shall contain a minimum of 14 feet of vertical and horizontal clearance for the safe conveyance of vehicles. This includes clearance of utility lines and vegetation.<sup>48</sup>
8. **Grade:** The grade of the road should not exceed 12%. Where possible, the road should be constructed along the contour of the land to avoid steep grades.
9. **Intersection with Public Road:** The intersection of the Private Road with a public road shall be in accordance with NC Department of Transportation requirements.
10. **Drainage**<sup>49</sup>
  - a. Ditches shall be constructed to provide drainage from the road and adjacent areas.
  - b. The ditches shall be built with sufficient depth and width to carry the expected volume of water.
  - c. The side slopes shall be graded so that they can be stabilized and to prevent vehicles from becoming stuck if they slide into the ditch.
11. **Turn-Arounds**<sup>50</sup>
  - a. Vehicle turn-around areas shall be provided at the end of all dead-end roads. This can be accomplished by ending the road in a cul-de-sac or a "T".
  - b. Cul-de-sac and 'T' turn arounds shall be designed in accordance with NC Department of Transportation and State Fire Code standards.<sup>51</sup> In absence of a NC DOT or State Fire Code requirement, the following minimum design standard shall be observed as depicted on the chart below. Culs-de-sac shall have a minimum diameter of 80 feet.

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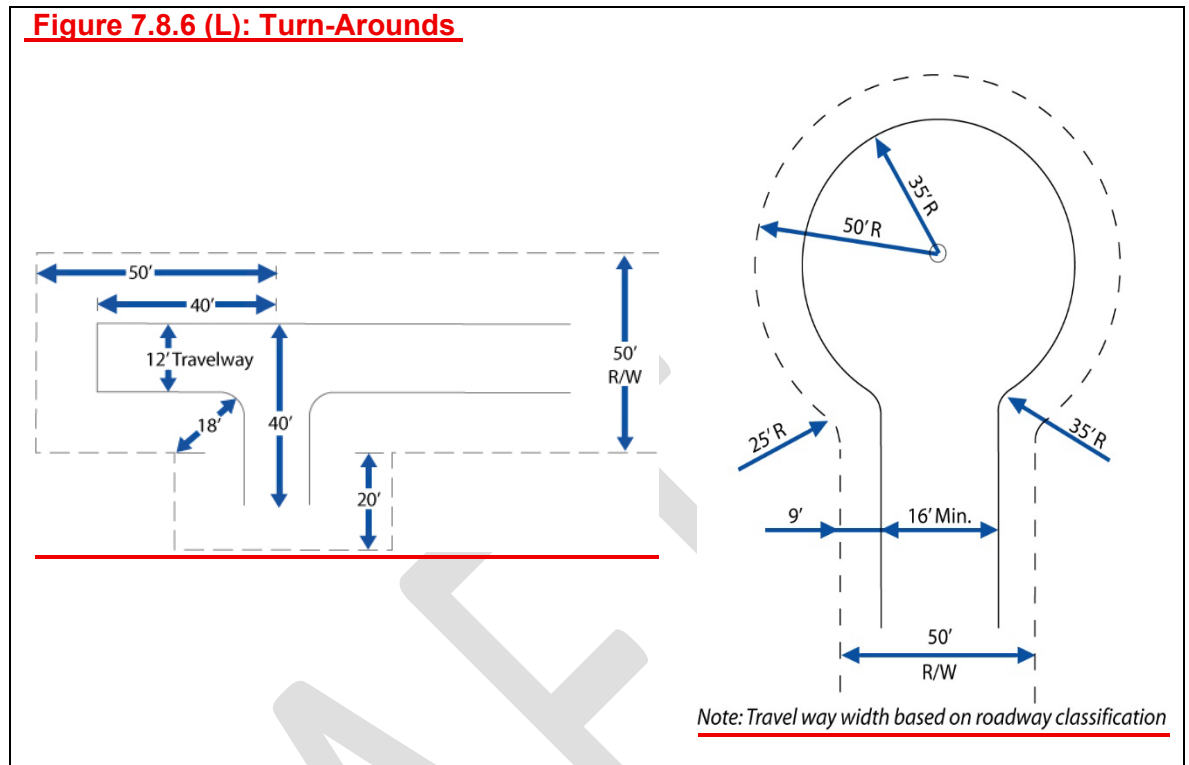
<sup>48</sup> This provision addresses vertical clearance to allow for the passage of emergency vehicles.

<sup>49</sup> Basic language addressing the drainage needs for a subdivision project.

<sup>50</sup> Unionville will rely on DOT and State Fire Code standards. This might be the most prudent course of action for the subdivision ordinance.

<sup>51</sup> State Fire Code now has regulations governing development of residential streets and turn-around areas to ensure the safety of fire apparatus.

**Figure 7.8.6 (L): Turn-Arounds**



**12. Bridge Development and Construction.** Any bridge developed as part of a subdivision shall be constructed in accordance with applicable NC Department of Transportation and State Fire Code requirements regardless of roadway classification.<sup>52</sup>

**13. Road Name and Sign**<sup>53</sup>

- a. The road name shall be verified with Planning, Union County Land Records Office, and Town/County Address Administrator to ensure that the proposed name does not duplicate an existing name.
- b. The road sign shall have one double-sided blade showing the name of the Private Road and another showing the name of the existing State maintained road.

**14. Maintenance**<sup>54</sup>

- a. Maintenance of the Private Road must be provided by the lot owners that are served by the road. The responsibility for maintenance is the sole responsibility of the property owners. Neither the State nor Town of Unionville will maintain the road.

<sup>52</sup> Current regulations are silent on the construction of bridges. The issue is without a standard; there is no mechanism available to staff to require compliance with applicable State standards. This section addresses this deficiency.

<sup>53</sup> Current standards revised and expanded upon to ensure property reference to the applicable process for establishment of road names and installation of signage.

<sup>54</sup> Section designed to address who is responsible for maintenance of private roads, specifically the Town and NC DOT have no liability or responsibility.

- b. The required Road Maintenance Agreement between the lot owners is required to ensure that the cost is shared equally and a mechanism for maintenance is set up.
  - c. Regular attention shall be given to the following items to ensure that the road will remain in good condition:
    1. The vegetation shall be mowed, trimmed, and fertilized as needed. Areas that erode or where seeding is unsuccessful should be reseeded.
    2. Culverts shall be kept clear of trash, debris, and other obstructions that could prevent or reduce their function.
    3. Ditch banks and bottoms shall be protected from erosion by maintaining good vegetation.
    4. The travelway shall be maintained by grading the surface material to fill any potholes that develop and to evenly spread the surface material where the soil has been uncovered because of erosion.
    5. The road name sign shall be kept visible and legible so that visitors and emergency personnel can easily locate the road.
15. **Compliance with Erosion and Sedimentation Control Regulations Required.**  
Private road construction shall conform to applicable erosion and sedimentation control provisions enforced by the State of North Carolina.
16. **Inspections and Certifications**<sup>55</sup>
- a. Private road construction must be inspected, and the construction certified in writing to the Town by a North Carolina Professional Engineer.
  - b. The location of the travelway within the right-of-way must be certified to be within the platted private road right-of-way by a North Carolina Registered Land Surveyor.
  - c. The road must be inspected during construction so that any changes or improvements necessary to ensure approval can be made before the stone is placed and the shoulders and ditches are seeded and mulched.
  - d. The subdivider or his/her representative must inform the professional making the certification prior to the start of construction and at intervals during construction when inspections are needed so that they can be scheduled.
  - e. Inspections by the Planning Department are made only to ensure the following:
    1. That the road is built to the required dimensions;
    2. The travelway is provided to the required width;
    3. That any disturbed areas are seeded and mulched to establish permanent vegetation; and
    4. To verify that the required road sign is in place.
  - f. The subdivider is responsible for supervising construction and for quality control inspections for clearing and grubbing of the right-of-way, compaction of fill, construction materials, and so forth.

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<sup>55</sup> This section is intended to 'spell out' the responsibilities of staff and the applicant with respect to various inspections associated with the roadway and other associated development activities. Current regulations are silent on this topic.

- g. The subdivider or representative should employ a qualified grading contractor (and supervisor if necessary) to ensure that the road is in the correct location and that acceptable methods and materials are used.
- h. Bonds or letters of credit cannot be released or reduced until completion of the road is certified. Arrangements for payment between the subdivider and contractor are not the responsibility of Town of Unionville.

**Sec. 7.11.4 Reservation Space for Utilities:**

**(A) Easements Required**<sup>56</sup>

- 1. Where several utilities are available or can be anticipated to serve a subdivision according to utility extension plans, utility easements, setbacks or other methods of providing services may be required for service in that subdivision.
- 2. Except where utilities may be located in approved public or private road rights-of-way, alleys, easements, setbacks, or other methods, not less than ten feet in width may be required on each side of rear and side lot lines.
  - a. The ultimate width and location of a utility easement shall be determined by providers and not Town of Unionville.<sup>57</sup>
- 3. Utility easements, setbacks, or other methods may be required along said lot lines or across lots for the extension of existing or planned utilities such as poles, wires, conduits, storm or sanitary sewers, water lines, and/or gas lines.

**Sec. 7.12 Flexible Development –Cluster Subdivision:**<sup>58</sup>

**A. Purpose**

- 1. The purpose of Flexible Development is to preserve agricultural and forestry lands, natural features, environmentally sensitive areas, and areas with potential for maintaining the character of the rural community that might otherwise be lost or marginalized with a conventional subdivision development.
- 2. To accomplish this goal, greater flexibility, and creativity in the design of such developments is encouraged and allowed. Specific objectives are as follows:
- 3. To preserve areas of the town with productive soils for continued agricultural and forestry use by preserving blocks of land large enough to allow for efficient operations.
- 4. To preserve open land, including those areas containing unique and sensitive features such as natural areas, steep slopes, streams, wetlands, and floodplains.
- 5. To provide greater flexibility with the location of proposed lots and the preservation of open space areas and providing greater efficiency in the siting of services and infrastructure by reducing road length, utility runs, and the amount of paving for development.

**SEC. 7.12.1 Applicability**

- 1. All Flexible Development subdivision plats shall comply with the requirements and standards specified herein and in all respects with other applicable codes and ordinances to the extent that they are not in conflict with these provisions.

<sup>56</sup> Staff has collapsed existing regulations into a central section.

<sup>57</sup> Sub-section (a) addresses a concern we could be accused of attempting to dictate utility policy to a provider.

<sup>58</sup> The process allows for the clustering and reduction of lots with the preservation of open space area within a proposed subdivision.

## SEC. 7.12.2 Open Space Standards

### A. Minimum Required Common Open Space

1. Where a subdivider elects to seek approval of a subdivision utilizing the Flexible Development Option as specified herein, a minimum of 30% of the total land area of the parcel subject to the application shall be set aside as protected Common Open Space.
2. Allowable lot sizes within a Flexible Development subdivision are related to the provision of open space as detailed in **Article 4 of this Ordinance**.
3. Types of Common Open Space. The types of Common Open Space dedicated through Flexible Development shall be consistent with the following standards:
  - a. Wetlands
  - b. Special Flood Hazard Areas (i.e., Floodplains with a primary focus on floodways) and Alluvial Soils
  - c. Woodlands
  - d. Farmland
  - e. Public and/or Private Recreation Areas and Facilities
4. Perimeter Buffer: Flexible developments shall have a perimeter buffer separating the development from neighboring land uses and adjacent roadways. The buffer, a minimum of 15 feet in width, shall be composed of undisturbed natural vegetation or enhanced vegetation installed as a condition of approval in accordance with applicable regulations.<sup>59</sup>
5. Ownership of Common Open Space. Common Open Space may be owned and/or administered by any of the following methods, either individually or in combination. All open space shall be permanently restricted from further subdivision.
  - a. Local homeowners/property owners' association.
  - b. Dedication of conservation easements to the state, or a private nonprofit land conservancy. Such easements may apply to a single property owned by a homeowner's association and/or to all or portions of individual lots owned by one or more property owners. The Town may reject any proposed dedication at its discretion prior to or during the application process.
6. Maintenance of Common Open Space. Natural features shall be maintained in their natural condition, but may be modified to improve their appearance, function, or overall condition, as recommended by experts in the area being modified. Permitted modifications may include the following:
  - a. Reforestation;
  - b. Woodland management;
  - c. Pasture or cropland management;
  - d. Buffer area landscaping;
  - e. Stream bank protection; and/or
  - f. Wetlands management

Unless accepted for dedication or otherwise agreed to by the state or a private nonprofit land conservancy, the cost and responsibility of maintaining open space and any facilities located thereon shall be borne by the property owner and/or homeowner's association.

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<sup>59</sup> NFOCUS Staff is recommending the Town consider a perimeter buffer and is soliciting feedback on same from local officials.

### **SEC. 7.12.3 Development Standards**

- A. A Flexible Development – Cluster subdivision is one in which building lots are grouped together within the parcel proposed for subdivision.
- B. Lots smaller than the minimum lot size permitted in the zoning district are allowed provided such lots and subdivisions are developed in accordance with the following standards:
1. Land saved through lot size reductions shall consist of designated Common Open Space Areas.
  2. The total amount of land set aside as Open Space shall equal the sum of all reductions in the minimum lot area and shall comprise at least 30% of the total land area in the subdivision. This area shall meet the requirements for Article 4 of this Ordinance.<sup>60</sup>
  3. Minimum lot widths and setbacks shall also be reduced based on the reservation of open space within the Flexible Development subdivision consistent with Article 4.
  4. Open Space Areas shall be placed in undivided preserves which adjoin housing areas that have been designed more compactly to create larger conservation units that may be enjoyed by all residents of the subdivision and, if possible, enjoyed visually by the public. Such undivided open space shall be accessible to the largest number of lots within the development. To achieve this, the majority of house lots should abut undivided open space to provide residents with direct views and access. Safe and convenient pedestrian access to the open space from all adjoining house lots shall be provided.
  5. Each lot must contain a buildable area of sufficient size to accommodate a single-family detached dwelling and customary accessory uses, including, but not limited to, storage buildings and garages, patios and decks, lawns, driveways, septic systems including repair areas and well sites.
  6. Cluster lots shall be restricted against further subdivision through deed restrictions and/or permanent conservation easements. Open Space Areas shall be dedicated to Town of Unionville, another unit of local government, the State of North Carolina, a private non-profit land conservancy or a homeowner’s association as detailed within this Article.
- C. Street Standards: All streets shall comply with the standards contained within this Article.

### **Sec. 7.13 SPECIFICATIONS FOR PLAT DRAWINGS**

The requirements of this Section apply to the format of drawings.

**(A) Flexible Development - Concept Plan.** For all Flexible Development projects, Minor and Major Subdivisions, a Flexible Development concept plan shall be required within the initial application, drawn in black ink or pencil to a scale of not less than 200 feet to the inch. The scale chosen shall be large enough to show all required detail clearly and legibly.

#### **1. Required Information**

- (b) The Concept Plan shall contain the following general information:
- (i) A sketch vicinity map showing the location of the subdivision in relation to the existing street or highway system;
  - (ii) The plotted boundaries of the tract from deeds or maps of record and the portion of the tract to be subdivided;
  - (iii) The total acreage to be subdivided, including tax map, block,

<sup>60</sup> At this time, Article 4 is the chapter of the Ordinance that will have the dimensional standards of the various zoning districts.

- and lot number reference;
- (iv) The name, address and telephone number of the subdivider or owner and the person responsible for the subdivision design;
  - (v) Scale, approximate north arrow, and date of plat preparation; and
  - (vi) Name of subdivision.
- (c) Site Analysis Map. As determined from readily identifiable on-site inventories, aerial photographs, maps of record, State/Federal resource maps, and local planning documents and inventories, the Site Analysis Map shall contain the following information:
- (i) Identified/defined Open Space Areas
  - (ii) Identification of physical resources associated with the site which restrict its development potential or contain significant natural and/or cultural resources, including:
    - a. Topographic contours at ten-foot intervals, showing rock outcrops and slopes of more than 25%.
    - b. Soil type locations and characteristics relating to seasonal high water table and depth to bedrock.
    - c. Hydrologic characteristics of the site, including drainage tributaries, surface water bodies, floodplains, and wetlands.
    - d. Historic and archaeological sites listed on the National Register of Historic Places or designated as a local historic landmark, and/or identified as having a high potential for archaeological remains.
  - (iii) Identification of significant site elements on buildable portions of the site, including:
    - a. Vegetation of the site, defining approximate location and boundaries of woodland areas, and, wherever possible, vegetative association in terms of species and size. Information from aerial photographs shall be acceptable at the Concept Plan stage.
    - b. Current land use and land cover (cultivated areas, pastures, etc.), existing buildings and structures, and burial grounds.
    - c. Other historic and archaeological sites and structures.
  - (iv) Transportation and Utility Systems
  - (v) Identification of facilities associated with the movement of people and goods, or the provision of public services, including:
    - a. Street rights-of-way.
    - b. Easements for vehicular access, electric and gas transmission lines, and similar uses.
    - c. Public and private water and sewer lines and storm drainage facilities.

- (d) Proposed subdivision:
  - (i) The arrangement of lots within the subdivision, including size and number.
  - (ii) Proposed street layout including travelway and right-of-way widths, and connection to existing streets.
  - (iii) The location, type, and area of the open space proposed in the subdivision, including open space to be preserved:
  - (iv) In a separate lot or lots under the ownership of a homeowner's association.
  - (v) As part of individually owned lots through a conservation easement applicable to multiple lots.
  - (vi) The location of proposed water supply and sewage disposal facilities, including:
    - a. Well sites for individual and community water systems.
    - b. Nitrification fields and land application areas for community sewage disposal systems employing subsurface disposal and spray irrigation, respectively.
    - c. Nitrification fields and land application areas for individual on- and off-lot sewage disposal systems employing subsurface disposal and spray irrigation, respectively.
    - d. Public water and sewer lines, where such facilities are available or capable of being extended.

**(B) Preliminary Plat (Major and Minor Subdivision Applications) All Conventional Subdivision and Flexible Development Projects:**

**1. In General**

- (a) The Preliminary Plat shall be prepared by a North Carolina registered land surveyor, professional engineer or registered architect or landscape architect providing all information required by this Article and consistent with NC General Statute 47-30.
- (b) The Preliminary Plat shall be drawn in black ink or pencil at a scale of not less than 200 feet to the inch nor more than 20 feet to the inch. The scale chosen shall be large enough to show all required detail clearly and legibly.
- (c) Approximate dimensions and locations are acceptable provided that on the Final Plat all information shall be based on an actual field survey.
- (d) The sheets shall be numbered in sequence if more than one sheet is used.

**2. Title Block**

- (a) The title block shall contain the following information:
  - (i) The proposed name of the subdivision, preceded by the words "Preliminary Plan of \_\_\_\_\_", which shall not duplicate nor closely approximate, phonetically or in spelling, the name of any other subdivision in Town of Unionville;

- (ii) The scale, approximate north arrow, date of preparation and any other pertinent legend data;
- (iii) Township location; Parent Parcel Identification Number, tax map, block, and lot number of the parcel; and deed book and page citations for the property to be subdivided; and
- (iv) The name and address of the owner(s) of the land to be subdivided, the name and address of the subdivider if other than the owner, and the name, address, registration number and seal of the registered land surveyor, professional engineer or registered architect or landscape architect responsible for preparation of the plat.

**3. Vicinity Map**

- (a) A vicinity map showing the general location of the subdivision in relation to the surrounding area shall be placed on the plat.
- (b) The vicinity map shall be shown at a sufficient size to show the relationship of the tract to the existing street or highway system and readily recognized Town of Unionville landmarks.
- (c) Streets and roads shall be identified by State road number and name.

**4. Existing Site Data**

- (a) Information on existing conditions shall be shown as noted below.
  - (i) Boundary Lines
    - a. The approximate or survey location, including distances and bearings for boundary lines of the subject tract.
    - b. The location, width and purpose of all recorded easements and any readily visible and apparent easements.
    - c. The approximate location of boundary lines which abut the tract shall be shown as dashed lines. The boundary lines of the tract shall be shown by a heavy line which provides quick and easy distinction between the property to be subdivided and adjacent properties.
    - d. The approximate location of corporate limit lines, township boundaries, and town lines.
    - e. The names of owners of adjacent unsubdivided land.
    - f. For adjacent subdivided land, the subdivision plat name, plat book and page number, and perimeter lot numbers abutting the tract to be subdivided.
  - (ii) Streets and Transportation Systems
    - a. The location, name and right of way width of streets, roads and railroads abutting the tract
    - b. Surface material and width of travelways.
    - c. The location of any existing curbs, gutters and culverts. These features shall also be shown in cross section.

- d. The location and width of alleys, sidewalks, bike lanes, transit systems, and bus stops.

(iii) Utility Systems

- a. The location and size (if appropriate) of all:
- b. Above ground installations of major electric, CATV and telephone transmission lines.
- c. Underground gas transmission mains.
- d. Underground water mains and sanitary sewer lines, and
- e. Important storm sewer systems on or abutting the tract shall be shown.
- f. Information about underground installations of the utilities listed above shall be based on information obtained from the respective utility provider.

(iv) Contour Information

- a. Existing contours on the tract shall be shown at vertical intervals of not more than ten feet.
- b. Contours shall be referenced to mean sea level datum as obtained from the latest applicable U.S. Geological Survey topographic map or other geodetic bench mark.
- c. Where a field topographic survey of the tract has been performed, contours shall be referenced to a permanent identifiable bench mark.

(v) Other Conditions

- a. Streams and rivers, ponds or lakes, swamps or marshes, and natural areas.
- b. Manmade features including houses, barns, and known or identified cemeteries shall be shown in their approximate location.
- c. The zoning of the subject tract and adjacent properties shall be noted.

**5. Subdivision Layout Data**

- (a) Information on the proposed development shall be shown as noted below.

(i) Site Calculations

- a. Site calculations shall be shown as follows and may be approximate, provided that the Final Plat shows all calculations based on an actual field survey:
- b. Acreage in tract to be subdivided;
- c. Lineal feet of road centerlines and approximate acreage within new street rights of ways;
- d. Acreage in recreational areas and other non-residential uses; and

e. Total number of lots or parcels created.

(ii) Lot Arrangement

a. Proposed lot lines, lot and block numbers and the approximate dimensions and area of each proposed lot shall be shown on the plat.

b. Lot areas exclusive of road right of way shall be shown.

c. Blocks shall be consecutively numbered or lettered in alphabetical order and all lots in each block shall be consecutively numbered.

d. Required building setback lines shall be shown for each lot or noted on the plat.

(iii) Dedications, Reservations, and Easements

a. The location and approximate dimensions of all property to be set aside for recreational use or other public or private dedications, reservations or easements shall be shown.

b. The purpose and conditions of the dedication, reservation or easements shall be noted.

c. For recreation areas with improvements, a separate sheet shall be provided showing the proposed site dimension and improvements drawn at a scale of not less than 50 feet to the inch, or at a different scale if approved by the Planning Director.

(iv) Streets and Transportation Systems

a. The location, dimensions and classification (public or private) of all proposed streets, easements, alleys and other right of ways shall be shown on the plat.

b. The location and dimensions of proposed pedestrian paths and sidewalks, bike lanes or paths, and bus stops shall also be shown.

c. Proposed streets, pavement or travelway widths shall be denoted as well as typical roadway cross sections. The approximate centerline radius shall be shown on all proposed streets.

d. Proposed street names shall be indicated on the plat. Such names shall not duplicate or approximate the name of any other street in Town of Unionville except where a proposed street is the continuation or extension of an existing street.

6. Utility and Drainage Data

(a) Proposed utility systems shall be shown on the plat, including but not limited to:

(i) Public or private community water supply systems,

(ii) Public or private community sewage disposal systems, and

(iii) Storm drainage facilities including existing and proposed

drainageways and channels.

- (iv) Any easements associated with such utility systems shall also be denoted and the purpose for the easements designated on the plat.

**7. Landscaping and Buffer Data**

- (a) The following information shall be denoted on the Preliminary Plat to demonstrate compliance with the provisions of Section 6.8 of this Ordinance:
  - (i) Existing trees and/or vegetation to be preserved and proposed trees and/or landscape materials to be installed.
  - (ii) Required buffers.

**8. Special Flood Hazard Area (SFHA) Standards**

- (a) The boundary of the SFHA shall be designated and labeled on the plat as required by this Ordinance.
- (b) For subdivisions located within a Watershed Protection Overlay District, as identified on the Town of Unionville Zoning Atlas, the following information shall be designated and labeled on the plat:
  - (i) Impervious surface data as required by Section \_\_\_\_\_ of this Ordinance;
  - (ii) Stream buffers; and
  - (iii) Stormwater detention and/or retention sites and undisturbed areas for infiltration purposes.

**(c) Final Plat Specifications – All Subdivisions.**

**1. Plat Preparation**

- (a) The Final Plat shall be drawn in accordance with the requirements of G.S. 47-30 as amended and to the specifications of this Section.
- (b) The plat shall be prepared by a Professional Land Surveyor at a scale of not less than 200 feet to the inch nor more than 20 feet to the inch.
- (c) All Final Plats shall be prepared in accordance with the Manual of Practice for Land Surveying in North Carolina as prepared by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors.

**2. Title Block**

- (a) A title block shall be placed on the plat, which shall contain the following information:
  - (i) The name of the subdivision, preceded by the words “Final Plat of \_\_\_\_\_”, which shall not duplicate nor closely approximate, phonetically or in spelling, the name of any other subdivision in Town of Unionville, and, where the plat at hand is only part of a larger subdivision bearing the same name, the unit or section number of other necessary identification;
  - (ii) The graphic scale in feet per inch in words or figures and bar graph; a north arrow accurately positioned and designated as magnetic north, true north, North Carolina State Plane Coordinate Grid System North or north referenced to a

recorded instrument with the recording reference shown; the date or dates the survey was conducted; and any other pertinent legend data;

- (iii) State, county, and township location; tax map, Parent PIN, block, and lot number references; and deed book and page number citations for the property being subdivided; and
- (iv) The name and address of the owner(s) of the land being subdivided; the name and address of the subdivider if other than the owner; and the name and address, registration number and seal of the land surveyor responsible for preparation of the plat.

### **3. Vicinity Map**

- (a) A vicinity map showing the general location of the subdivision in relation to the surrounding area shall be placed on the plat.
- (b) The vicinity map shall be drawn at a sufficient size to show the relationship of the tract to the existing street or highway system and readily recognized Town of Unionville landmarks.
- (c) The vicinity map shall show the street names in addition to the State Road (S.R.) designations.

### **4. Existing Site Data**

- (a) Information on existing conditions shall be shown as noted below.
  - (i) Boundary Lines
    - a. The location, distance and bearings for the boundary line of the tract to be subdivided.
    - b. Areas not designated as lots that will be under common ownership such as a conservancy, public agency or similar entity or a homeowners' association's ownership shall be appropriately labeled as tracts.
    - c. Locations of corporate limits or Extraterritorial Zoning Jurisdiction (ETJ) lines, township boundaries, and town lines.
    - d. The names of owners and Parcel Identification Numbers (PIN) of adjacent land.
    - e. For adjacent land that is platted, the subdivision plat name, plat book and page number abutting the tract to be subdivided shall also be shown.
  - (ii) Other Conditions
    - a. Constructed features including houses, barns, sheds, railroads and overhead utility lines.
    - b. Cemeteries if designated either by a previously recorded instrument or if disclosed to or found by the surveyor during the course of the survey.
    - c. All street rights-of-way, which adjoin the boundaries of the tract being subdivided, shall be shown with dashed

lines and shall denote the right-of-way location and width.

**5. Subdivision Layout Data**

(a) The lot design plan shall be drawn and shall show the following information:

(i) Lot Arrangement and Development Potential

- a. The lot lines, Parent Parcel Identification Number, and lot and block numbers of each lot shall be shown on the plat.
- b. Blocks shall be consecutively numbered or lettered in alphabetical order and, all lots in each block shall be consecutively numbered.
- c. Lot and block numbers provided shall be in substantial compliance with those shown on the approved Preliminary Plat.
- d. The location and dimensions of all lot lines, all new easements and any existing easements which are recorded or easements which are visible and apparent reservations, and areas dedicated to public or private use with notes stating their purposes shall be shown on the Final Plat.
- e. Lots shown on the Final Plat shall be substantially the same as those shown on the approved Preliminary Plat.
- f. Front, rear, and side yard setbacks that are greater than the minimum setback requirements of the district in which the parcel is located shall be designated with dashed lines on the individual lots and labeled as 'Minimum Setback'.
- g. All lots which are of restricted development potential shall be noted on the Final Plat with reference to a separate recorded instrument which describes the restricted lot(s) by metes and bounds and designates the lot as "Of restricted development potential because of (specify condition), pursuant to Section \_\_\_\_\_ of the Town of Unionville Unified Development Ordinance".

**6. Streets and Transportation Systems**

- (a) The location, dimensions and classification (public or private) of all streets, new easements or any existing easements which are recorded or which are visible and apparent uses, alleys and other public or private ways shall be shown on the Final Plat, including pedestrian and non-motorized vehicle easements.
- (b) All streets intended for future extension either within or beyond the boundaries of the subdivision shall clearly be indicated on the Final Plat by the words, "Subject to future extension."

- (c) A No Vehicular Access Easement (NVA) 10 feet in width shall be designated, with a dashed line, along the right-of-way of all lots and tracts where direct vehicular access to a roadway is not approved.
- (d) Street names, including State road numbers if applicable, shall be indicated on the Final Plat and shall not duplicate or approximate the name of any other street in Town of Unionville, Union County, or an adjacent municipality if a similar street name is in use in the vicinity, except where a street is the continuation or extension of an existing street.
- (e) All street names shall be approved through the Town of Unionville Land Records office.

**7. Utility and Drainage Data**

- (a) Construction plans shall be submitted to proper authorities, as required, to document any new:
  - (i) Public or private community water supply system,
  - (ii) Public or private community sewage disposal system, and/or
  - (iii) Storm drainage facilities.
- (b) Written approval of the reviewing authorities and a set of approved construction plans shall be submitted to the Planning Department prior to approval of the Final Plat.
- (c) The location and purpose of all new easements for utility systems shall be shown on the Final Plat, including, but not limited to:
  - (i) Sanitary sewers,
  - (ii) Septic tanks and nitrification fields,
  - (iii) Storm sewer lines,
  - (iv) Water mains,
  - (v) Gas, transmission mains,
  - (vi) Overhead electric, telephone and CATV transmission mains, and
  - (vii) Any other above or below ground utility systems which are contained within a designated easement.
- (d) It is understood that utility distribution systems to individual lots for gas, electric, telephone, and TV cable service are customarily covered by “blanket easements” or “general easements.” If these easements have been recorded, the recording data shall be shown on the plat. Otherwise, these easements need not be denoted on the plat.

**8. Landscaping and Buffer Data**

Buffers widths and locations as required by Section \_\_\_\_\_ of this Ordinance shall be shown on the Final Plat and specified in a separate document to be recorded concurrently with the Final Plat. The Deed Book and Page reference shall be noted on the Final Plat.

**9. Special Flood Hazard Area (SFHA) Standards**

- (a) The boundary of the SFHA shall be designated and labeled on the plat as required by this Ordinance.

- (b) For subdivisions located within a water supply watershed of regional and/or local importance, the following information shall be shown on the Final Plat:
  - (i) The maximum impervious surface data as required by Section \_\_\_\_\_ of this Ordinance shall be shown for each lot.
  - (ii) Required riparian buffers shall be delineated with widths noted on the Final Plat.
  - (iii) Development restrictions within the stream buffer shall be specified in a separate document to be recorded concurrently with the Final Plat. The Deed Book and Page reference shall be noted on the Final Plat.
  - (iv) Storm water detention and/or retention sites and undisturbed areas for infiltration purposes shall be delineated and labeled on the Final Plat.
  - (v) Any restrictions or requirements associated with the detention/retention sites shall be specified in a separate document to be recorded concurrently with the Final Plat. The Deed Book and Page reference shall be noted on the Final Plat.

**10. Open Space and Natural and Cultural Resource Areas**

- (a) A description of the resource, and the conditions of subdivision approval, which assure its protection shall be included in a document describing development restrictions to be recorded concurrently with the plat.
- (b) Common Open Space areas indicating the type, the use (e.g., passive trails), the land area, the fee simple owner of the land, and/or the holder of the easement.

**(D) Notes, Certificates, and Endorsements:**

**1. General Required Certificates and Notes:**

- (a) The Final Plat shall be made by or prepared under the supervision of a Professional Land Surveyor licensed to practice in the State of North Carolina and shall contain a certificate as required by Section 47-30 of the General Statutes and prepared in substantially the following form and acknowledged by a notary public:

"I, \_\_\_\_\_, certify that this plat was drawn under my supervision from (an actual survey made under my supervision) (deed description recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, etc.) (other); that the ratio of precision is 1: \_\_\_\_\_; that the boundaries not surveyed are shown as broken lines plotted from information found in Book \_\_\_\_\_, Page \_\_\_\_\_; that this map was prepared in accordance with G.S. 47-30 as amended. Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_."

Seal or Stamp

Surveyor Registration Number

(The surveyor shall also certify on the plat as required by G.S. 47-30

(f) (11) as amended.)

(b) All Exempt Subdivisions shall contain the following note:

The approval and recordation of an exempt subdivision is no guarantee of the issuance of a zoning compliance permit by the Town of Unionville Planning Department authorizing development in accordance with the provisions of the Unified Development Ordinance (UDO).

(c) For subdivisions with streams/water features, the following note shall be required:

This plat denotes the presence of a stream/water feature which may be subject to State riparian buffer guidelines. For more information, please contact the State of North Carolina Department of Water Quality on riparian buffer standards.

(d) All regulated subdivisions proposing a private road shall have the following note:

The roadway noted hereon is subject to a private road maintenance agreement unenforceable by the State Department of Transportation or Town of Unionville.

**ii. Final Plat - Certificates of Dedication and Maintenance**

(a) The following certificate shall be printed on the Final Plat and shall be followed by the signature of the owner(s) of the property being subdivided acknowledged by a notary public.

“The undersigned owner hereby certifies that the land shown hereon is located within the subdivision-regulation jurisdiction of Town of Unionville and hereby freely dedicates all rights-of- way, easements, streets, recreation areas, open spaces, common areas, utilities and other improvements to public or private common use as noted on this plat, and further assumes full responsibility for the maintenance and control of said improvements until they are accepted for maintenance and control by an appropriate public body or by an incorporated neighborhood or homeowners association or similar legal entity.”

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

Date: \_\_\_\_\_

(b) Where a Final Plat shows a private road, an instrument substantially in the form of the Town’s Standard Road Maintenance Agreement entitled, “DECLARATION OF RESTRICTIONS AND PROVISIONS FOR PRIVATE ROAD MAINTENANCE”, shall be recorded contemporaneously with the recordation of the approved Final Plat which guarantees:

\_\_\_\_\_ (a) Right of access to any private road in the subdivision by all lots served by the road and by law enforcement and emergency vehicles.

\_\_\_\_\_ (b) Right of access for the proposed private road to a State or municipally maintained road by way of direct access or other private roads.

(c) Perpetual maintenance for any private road serving the subdivision at the standards set for approval, and (d) provide record notice of the probability that future development dependent on the private roads for access will require upgrading of the roads to a higher private road standard or public dedication and upgrading of the road to North Carolina Department of Transportation standards.

This instrument shall also note acceptance by the owner of all liability related to the use of the road, and agreement to hold the Town, County and State harmless from such liability and acknowledge that some public services may not be provided due to the private nature of the road. The guarantees of right of access and maintenance of the subdivision roads shall run with the land and shall be disclosed to any prospective purchaser of land in the subdivision as provided in North Carolina General Statutes Chapter 136- 102.6. Upon recordation the Deed Book and Page Number of the recorded document shall be referenced on the Final Plat.

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

Date: \_\_\_\_\_

(c) The following shall be printed on the final plat and shall be followed by the signature of the Town Manager:

“Town of Unionville hereby accepts, for the use of the general public, without maintenance responsibility, the offer of public dedication of all public rights-of-way, public easements, public streets, public recreation areas, public open space, public utilities and other public improvements shown on this plat.”

Town Manager: \_\_\_\_\_

Date: \_\_\_\_\_

### **iii. Certificates of Approval**

(a) **EXEMPT:**

Where a division of property is found to be exempt from the provision of this Ordinance, the plat shall show the following statements for Planning Department endorsement:

“I hereby certify that the division of property shown and described hereon is exempt from the subdivision regulations contained in the Town of Unionville Unified Development Ordinance as well as NCGS 160D-802 (a).

\_\_\_\_\_  
Planning Director \_\_\_\_\_ Date

(b) **ALL OTHERS:**

A Final Plat shall show the following form for Planning Department endorsement: “I hereby certify that the subdivision plat shown hereon has been found to comply with the Town of Unionville Subdivision Regulations. Provided that this plat shall be recorded within ninety (90) days of final approval, approved by the Town of Unionville Planning Department on \_\_\_\_\_ (Date).”

\_\_\_\_\_  
Planning Director or Authorized Agent      Date

**HEALTH DEPARTMENT APPROVAL:**

Where sewage disposal within all or a portion of a subdivision is to be accomplished through the installation and use of surface sewage disposal systems, the plat shall show the following form for Town of Unionville Health Department endorsement:

“Soil and site evaluations have been conducted by the Town of Unionville Health Department, Environmental Health Division, and unless otherwise noted, an area on each lot has been tentatively designated for the installation and repair of a wastewater system. This certification is not an Improvement Permit or an approval for a septic system on any of the lots. Subsequent changes to the lots may affect the ability to obtain Improvement Permits and/or Construction Authorizations.

\_\_\_\_\_  
Environmental Health Specialist      Date

**NOTICE OF RESTRICTED DEVELOPMENT:**

Where a parcel has either not been evaluated or has been evaluated by the Town of Unionville Health Department has been determined to have limited septic viability, the following statement shall be placed on the plat:

All parcels have been evaluated by the Town of Unionville Health Department for the installation and repair of a wastewater system. Lot \_\_\_\_\_ has been determined to have limited viability with respect to the installation of such systems at the time of recordation of this document.

**SEWER:**

Where water and/or sewage disposal is to be provided by a public or quasi-public entity the following statement shall be certified by the person authorized to represent the service provider:

“I hereby certify that the construction plans for the water system and/or sewer system have been approved for [Name of Project]. The utilities have been constructed, or secured via an irrevocable Letter of Credit, to the [Service Provider] standards.

\_\_\_\_\_  
[Authorized Signature]      Date

\_\_\_\_\_  
[Attest Signature]      Date

SEAL

Where a plat is recombining property that includes a vacant lot or an existing dwelling the following statement shall be shown on the plat:

"The recombination of existing lots has been reviewed by the Town of Unionville Health Department, Environmental Health Division. Based on available information, this proposal does not appear to adversely affect the suitability of the lots for the issuance of an improvement permit, nor the installation, maintenance, or repair of an existing wastewater system. This certification is not an Improvement Permit or an approval for septic system on any of the lots. Subsequent changes to the lots may affect the ability to obtain Improvement Permits and/or Construction Authorizations."

**WATERSHED:** For all parcels located within a Watershed Overlay District, the following statement shall be shown on the plat:

**REQUIRED ENDORSEMENTS:**

All certificates and endorsement signatures on the Final Plat, except those of the Town Manager, Planning Director and Environmental Health Officer shall be notarized by the statement of a Notary Public entered on the Final Plat. The Notary Public statement shall be shown in the following form:

"North Carolina \_\_\_\_\_ County

I, a Notary Public of the County and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the execution of the foregoing certificate. Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

"Seal or Stamp \_\_\_\_\_ Notary Public

My Commission expires \_\_\_\_\_

**iv. Certificate of Improvements**

If the required improvements are completed prior to the submission of the Final Plat, then one of the following certificates shall be shown on the plat and followed by the Town Manager's signature:

"The Town Manager hereby certifies that all improvements required by the Town of Unionville Subdivision Regulations have been installed as specified by the approved Preliminary Plat for \_\_\_\_\_ Subdivision and that said improvements comply with Town of Unionville specifications."

Town Manager: \_\_\_\_\_ Date: \_\_\_\_\_

If the required improvements are not completed prior to the submission of the Final Plat and their completion is not insured by regulations applicable to developments financed by the U.S. Department of Housing and Urban Development, the following certificate shall be recorded followed by the Town Manager's signature:

"The Town Manager hereby certifies that (a) cash in the amount of \$ \_\_\_\_\_, or (b) an irrevocable letter of credit by an approved institution and as approved by the Town of Unionville Attorney, has been posted with Town of Unionville guaranteeing that all

improvements will be installed as specified by the approved Preliminary Plat for \_\_\_\_\_ Subdivision. All required improvements must be completed within three hundred and sixty-five (365) days hereof."

Town Manager: \_\_\_\_\_ Date: \_\_\_\_\_

DRAFT