

SUBDIVISION REGULATIONS

Town of Norwood, NC

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ARTICLE I – TITLE, PURPOSE AND AUTHORITY

Sec. 101. Title

This ordinance shall be known and may be cited as the Subdivision Regulations for the Town of Norwood, North Carolina, and may be referred to as the Subdivision Regulations.

Sec. 102. Purpose of Ordinance

The purpose of this Ordinance is to support and guide the proper subdivision of land within the jurisdiction of Norwood in order to promote the public health, safety, and general welfare of the citizens of Norwood and its ETJ. The ordinance is designed to establish procedures and standards for the development and subdivision of real estate within the jurisdictional area of the town in an effort to, among other things, insure proper legal description, identification, monumentation and recordation of real estate boundaries and further, the orderly layout and appropriate use of the land; to provide safe, convenient and economic circulation of vehicular traffic; to provide suitable building sites which drain properly and are readily accessible to emergency vehicles; to assure the installation of improvements; to promote the eventual elimination of unsafe or unsanitary conditions; and to help conserve and protect the physical and economic resources of the town and its environs and to facilitate the further re-subdivision of large tracts into smaller parcels of land.

Sec. 103. Authority

This Ordinance is adopted under the authority of Chapter 160A-371 of the General Statutes (G.S.) of North Carolina.

Sec. 104. Jurisdiction

The regulations shall govern all subdivisions of land within the corporate limits and the extraterritorial jurisdiction of the Town of Norwood, North Carolina as now or hereafter established.

ARTICLE II – NO SERVICES UNTIL FINAL PLAT APPROVED

Sec. 201. Permits

- (a) No land shall be subdivided nor any construction or improvements such as streets, storm drainage or grubbing and grading, as related to the subdivision of land and the development thereof, initiated until the Zoning Enforcement Officer has issued a subdivision permit for such work. A valid tentatively approved preliminary plat of the land involved shall be prerequisite to the issuance of a subdivision permit by the Zoning Enforcement Officer.

- (b) Similarly, proposed subdivisions must comply in all respects with the requirements of the zoning ordinance in effect in the area to be sub-divided, and any other officially adopted plans.

Sec. 202. Recordation of Plat

- (a) Within six (6) months after the final plat has been approved by the Board of Commissioners, it shall have been recorded with the Register of Deeds of Stanly County. Should the six-month time limit expire before the plat is recorded, it must be resubmitted. Upon the filing of the ordinance codified in this regulation with the Register of Deeds, the Register of Deeds shall not thereafter file or record a plat of a subdivision located within the territorial jurisdiction of the Town of Norwood until such plat has been approved by the Town. The filing or recording of a subdivision plat without approval of the Board of Commissioners as required by this regulation shall be null and void. The Clerk of Superior Court of Stanly County shall not order or direct the recording of a plat where such recording would be in conflict with this regulation.
- (b) The sale or transfer of land within a subdivision is prohibited until the plat has been approved by the Board of Commissioners and has been properly recorded.
- (c) The provisions of this section shall not prohibit any owner or its agent 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 the subdivision ordinance or recorded with the register of deeds, provided the contract does all of the following:
 - (1) Incorporates as an attachment a copy of the preliminary plat referenced in the contract and obligates the owner to deliver to the buyer a copy of the recorded plat prior to closing and conveyance.
 - (2) 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.
 - (3) 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 buyer or lessee may not be required by the seller or lessor to close any earlier than five days after the delivery of a copy of the final recorded plat.
 - (4) 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.

The provisions of this section shall not prohibit any owner or its agent from entering into contracts to sell or lease land by reference to an approved preliminary plat for which a final plat has not been properly approved under the subdivision ordinance or recorded with the register of deeds where the buyer or lessee is any person who has contracted to acquire or lease the land for the purpose of engaging in the business of construction of residential, commercial, or industrial buildings on the land, or for the purpose of resale or lease of the land to persons engaged in that kind of business, provided that no conveyance of that land may occur and no contract to lease it may become effective until after the final plat has been properly approved under the subdivision ordinance and recorded with the register of deeds. (G.S. 160A-375(b))

ARTICLE III – LEGAL PROVISIONS

Sec. 301. Penalties for Violation

After the effective date of this ordinance, any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this ordinance, thereafter subdivides his land in violation of this ordinance or transfers or sells land by reference to exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under the terms of this ordinance and recorded in the office of the Stanly County Register of Deeds, shall be guilty of a misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The Town, through its attorney or other official designated by the Town Board of Commissioners, may enjoin illegal subdivision, transfer, or sale of land by action for injunction. Further, violators of this ordinance shall be subject, upon conviction, to fine and/or imprisonment as provided by G.S. 160A-375.

Building permits required pursuant to G.S. 160A-417 may be denied for lots that have been illegally subdivided. In addition to other remedies, the Town may institute any appropriate action or proceedings to prevent the unlawful subdivision of land, to restrain, correct, or abate the violation, or to prevent any illegal act or conduct. (G.S. 160A-375(a))

Sec. 302. Separability

Should any section or provision of this ordinance be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Sec. 303. Variances

Where, because of severe topographical or other conditions peculiar to the site, strict adherence to the provisions of this ordinance would cause an unnecessary hardship, the Town Board of Commissioners may, on recommendation of the Planning Board, authorize a variance to the terms of this ordinance only to the extent that is absolutely necessary and not to an extent which would violate the intent of the ordinance.

Sec. 304. Amendments

The Town Board of Commissioners may from time to time amend the terms of this ordinance, but no amendment shall become effective until it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation. The Planning Board shall have forty-five (45) days within which to submit its report. If the Planning Board fails to submit a report within the specified time, it shall be deemed to have approved the amendment. (G.S. 160A-364.)

Sec. 305. Abrogation

It is not intended that this ordinance repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, or permits previously adopted or issued pursuant to law. However, where this ordinance imposed greater restrictions, the provisions of this ordinance shall govern.

ARTICLE IV – DEFINITIONS

Sec. 401. General

For the purpose of interpreting this ordinance, certain words or terms are herein defined. The following words shall, for the purpose of this ordinance, have the meaning herein indicated.

Sec. 402. Interpretation of Commonly Used Terms and Words

Words used in the present tense include the future tense.

Words used in the singular number include the plural.

Words used in the plural number include the singular, unless the natural construction of the wording indicates otherwise.

Words used in the masculine include the feminine.

The word "person" includes a firm, association, corporation, trust, and company, as well as an individual.

The words "used for" shall include the meaning "designed for".

The word "lot" shall include the words "plat", "parcel" or "tract".

The word "shall" is always mandatory and not merely directory.

The word "may" is permissive.

The word "structure" shall include the word "building".

The words "town" or "Town" shall mean the Town of Norwood, North Carolina.

Sec. 403. Definitions of Specific Terms and Words

The following is an alphabetical listing of words and terms used within this ordinance.

ALLEY. A public or private thoroughfare which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

BONA FIDE FARM. Agricultural, horticultural and forest land as defined by G.S. 105-277.1(1) through (3) and 105-277.3.

BUFFER. A horizontal distance from the property line which may only be occupied by screening, utilities, access ways and landscaping materials.

BUILDING LINE OR SETBACK LINE. A line set parallel to a lot line beyond which a building cannot extend or be erected. Included are front, side, and rear lines.

CLEAR VISION AREA. The triangular area formed by joining point, using straight lines, of the center lines of intersecting or intercepting streets sixty (60) feet from their intersection/interception.

DEDICATION. A gift, by the owner, of his property to another party without any consideration being given for the transfer. Since a transfer of property is involved, the dedication is made by written instrument and is completed with an acceptance.

DISTRICT. Any section of the Town of Norwood and its zoning jurisdiction within which regulations are uniform.

DRAINAGE HEAD. A low depressed area which serves to remove excess water.

EASEMENT. A grant by the property owner for use by the public, a corporation or persons of a strip of land for specified purposes.

EXCEPTION. A division of land specifically described in the definition of subdivision as not being subject to the regulations prescribed by this ordinance other than those prescribed for Review and Approval as noted in Article V.

EXTRATERRITORIAL JURISDICTION. That land lying within one (1) mile in all directions of the corporate limits and not located in any other town. In the event of land lying within a distance of one (1) mile of both the Town and any other municipality, the jurisdictions of the Town and of each other such municipality shall terminate at a boundary line equidistant from the respective corporate limits. For state law as to extraterritorial jurisdiction, see G.S. 160A-360. As to representation of extraterritorial area, see G.S. 160A-362.

FENCE. An outdoor structure placed around an entire or a portion of a parcel of land and constructed of either masonry, metal, wood, or other material which provides either a physical barrier or visual screen between properties.

LOT. A portion of a subdivision or any other parcel of land intended as a unit for transfer of ownership or for development or both. The word "lot" includes the word "plot" or "parcel".

- (a) **Corner Lot.** A lot which occupies the interior angle at the intersection of two (2) street lines which make an angle of more than forty-five (45) degrees and less than one hundred and thirty-five (135) degrees with each other. The street line forming the least frontage shall be deemed the front of the lot except where the two (2) street lines are equal, in which case the owner shall be required to specify which is the front when requesting a zoning compliance permit.
- (b) **Double Frontage Lot.** A lot of the same depth as the width of a block containing two tiers of lots and which is accessible from both of the streets upon which it fronts.
- (c) **Interior Lot.** A lot other than a corner lot.
- (d) **Single Tier Lot.** A lot which backs upon a limited access highway, a railroad, a physical barrier or a nonresidential use and to which access from the rear is usually prohibited.

LOT DEPTH. The mean distance between the front and rear lot lines.

LOT LINE. A line dividing one (1) parcel of property from another parcel of property or from a street right-of-way.

- (a) **Front Lot Line.** The street right-of-way boundary at the front of the lot, that is, the line which separates the lot from the street right-of-way at the front of the lot.
- (b) **Rear Lot Line.** That line of a lot which is opposite and farthest on average, from the front lot line. Where a lot abuts a street along the rear of the lot, the rear lot line shall be deemed to coincide with the street right-of-way boundary.
- (c) **Side Lot Line.** Any lot line which meets an end of a front lot line. Where a lot abuts a street along the side of a lot, the side lot line shall be deemed to coincide with the street right-of-way boundary.

LOT OF RECORD. A lot which is part of a subdivision, a plat of which has been recorded in the office of the register of deeds of Stanly County, or a lot described by metes and bounds, the description of which has been so recorded.

LOT WIDTH. The distance between side lot lines measured at the front building line.

MULTIPLE HOUSING DEVELOPMENT. One (1) or more residential structures designed for multifamily usage on a single plot, or a townhouse residential development, or a unit ownership residential development.

MULTIPLE NONRESIDENTIAL DEVELOPMENT. Two (2) or more principal structures built on a single lot, tract, or parcel and designed for occupancy by separate firms, businesses, or other nonresidential enterprises.

NONCONFORMANCE. Any use, structure, lot, or sign which does not conform to the regulations of the Norwood Zoning Ordinance either at the effective date of the ordinance or as a result of subsequent amendments which may be incorporated into the ordinance.

NONCONFORMING LOT. A lot which does not conform to the dimensions required by the Norwood Zoning Ordinance.

OBSTRUCTION. Any structure, fence, shrub, bush, tree, flower, plant, motor vehicle or any other object that obscures, impairs, or prevents view or sight through, over, or across the clear vision field as herein described.

OFFICIAL MAPS OR PLANS. Any maps or plans officially adopted by the Town Board of Commissioners as a guide to the development of the Town of Norwood.

OPEN SPACE. An area (land and/or water) generally lacking in man-made structures and reserved for enjoyment in its unaltered state.

PARKING SPACE. An area of appropriate dimensions, exclusive of drives, which conforms to the geometric design standards of the Institute of Traffic Engineering and is capable of temporary storage of one (1) private passenger automobile.

PLANNING BOARD. The planning board of the Town of Norwood.

PLAT. A map or plan of a parcel of land which is to be, or has been, subdivided.

PRINCIPAL USE. The primary purpose or function that a lot serves or is intended to serve.

PROJECT REVIEW COMMITTEE. A staff review committee consisting of the Town Administrator, the Planning Board chairman, Zoning Enforcement Officer, Public Works Director, two at-large citizens (one from Town and one from ETJ), and others as deemed necessary.

PUBLIC SEWAGE DISPOSAL SYSTEM. A single system of sewage collection, treatment and disposal owned and operated by a sanitary district, a metropolitan sewage district, a water and sewer authority, a county or municipality or a public assembly.

PUBLIC WATER SUPPLY. Any water supply furnishing potable water so defined and regulated by G.S. 130-166.

RESERVATION. A reservation of land does not involve any transfer of property rights. It simply constitutes an obligation to keep property free from development for a stated period of time.

SCREEN. A wall, a fence, or a planted strip composed of deciduous or evergreen trees or a mixture of trees and dense shrubs planted or constructed to block one (1) or more views.

SETBACK. The required distance between any structure and the applicable lot line(s) (front, rear, side) of the lot on which the structure is located.

SKETCH DESIGN PLAN. An informal drawing as required in Article V, Section 502, for the purpose of a Pre-application and Sketch Plat Review.

STREET. A dedicated and accepted public right-of-way for vehicular traffic which affords the principal means of access to abutting properties. The following classifications shall apply:

- (a) **Arterial.** A street serving major metropolitan activity centers, interconnecting and augmenting the thoroughfare system and carrying trips of moderate lengths.
- (b) **Collector Street.** A street penetrating residential, commercial and industrial areas that collects traffic from local streets and channels it into the arterial and thoroughfare system.
- (c) **Cul-de-sac.** A street having but one end open to traffic and other end being permanently terminated and a vehicular turn-around provided.
- (d) **Local Street.** A street providing direct access to abutting land where through traffic is deliberately discouraged and trip length is short.
- (e) **Marginal Access/Frontage.** A minor street which parallels and is adjacent to a major street or highway and which provides access to abutting properties and protection from through traffic.
- (f) **Private Street.** A privately owned and maintained street which provides the principal means of vehicular access to abutting properties.
- (g) **Street Right-of-Way Line.** The street right-of-way boundary, that is, the line which separates the street from the lot.
- (h) **Thoroughfare.** A traffic artery designed primarily to carry heavy volumes of through vehicular traffic.

SUBDIVISION. All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations authorized by this Part:

- (a) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the municipality [county] as shown in its subdivision regulations.

- (b) The division of land into parcels greater than ten acres where no street right-of-way dedication is involved.
- (c) The public acquisition by purchase of strips of land for the widening or opening of streets or for public transportation system corridors.
- (d) The division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the municipality, as shown in its subdivision regulations. (G.S. 160A-376(a))

(1) Major Subdivision. The division of a tract or parcel of land:

- (a) Involving four (4) lots or more fronting on an existing approved street; and
- (b) Involving any new street or prospectively requiring any new street for access to interior property; and
- (c) Requiring the extension of public sewage and/or water lines or the creation of new drainage easements through lots to serve property at the rear; and

(2) Minor Subdivision. The division of a tract or parcel of land:

- (a) Involving not more than three (3) lots fronting on an existing approved street; and
- (b) Not involving any new street or prospectively requiring any new street for access to interior property; and
- (c) Not requiring extension of public sewage or water lines or creation of new draining easements through lots to serve property at the rear;
- (d) Not adversely affecting development of the remainder of the parcel or adjoining property; and
- (e) Creating no new or residual parcels not conforming to the requirements of these regulations and related controls.

ARTICLE V – PROCEDURE FOR REVIEW AND APPROVAL OF SUBDIVISION PLATS

Sec. 501. General Requirements

No plat of a subdivision within the jurisdiction of the Norwood Planning Board shall be accepted for record by the Stanly County Register of Deeds until final approval has been given by the Town of Norwood. After the required **Pre-application/Sketch Plan Review**, there are three (3) procedures applicable to subdivision final plat approval. They are a Minor Subdivision, or a Major Subdivision, or an Exception.

Decisions on approval or denial of preliminary or final plats may be made only on the basis of standards explicitly set forth in this ordinance. Whenever judgment is applied in the decision to approve or disapprove a subdivision within the jurisdiction of the Town, said judgment shall be based upon the guiding standards provided herein. (G.S. 160A-371)

Sec. 502. Sketch Design Plan

A Pre-application/Sketch Plan Review is required of all proposed land use and subdivisions. This review is not binding on any party. It is to be held between Town Zoning Enforcement Officer and the sub-divider and/or his authorized agent. The purpose of this review is to clarify the regulations as they apply to the particular parcel and proposed subdivision. It helps to avoid misunderstandings and substantial investment in surveys and drafting for a concept that may or may not be accepted as proposed.

The "Sketch" may be informal (freehand), but drawn to an approximate scale. Sketch Plans shall conform to the following requirements:

502.01 Number of Copies

A minimum of two (2) copies of a SKETCH DESIGN PLAN shall be submitted.

502.02 Size of Plan and Scale

No specific size requirements apply to SKETCH DESIGN PLAN; it is suggested that the requirements applicable to preliminary and final plats be utilized.

502.03 Administrative Fees

No administrative fees are charged in connection with the submission of SKETCH DESIGN PLANS.

502.04 Contents Required

The SKETCH DESIGN PLAN shall depict or contain the following information:

- (a) A sketch vicinity map showing the location of the subdivision in relation to neighboring tracts, subdivision, roads, and waterways;
- (b) The boundaries of the tract and the portion of the tract to be subdivided;
- (c) The total acreage to be subdivided;
- (d) The existing and proposed uses of land within the subdivision and adjoining it;
- (e) The proposed street layout;
- (f) The name, address, and telephone number of the owner;
- (g) Streets and lots of adjacent developed or platted properties;
- (h) The zoning classification(s) of the tract and of adjacent properties;
- (i) Minimum setback lines.

502.05 Review Procedure

The Zoning Enforcement Officer shall review the SKETCH DESIGN PLAN for general compliance with the requirements of this ordinance and the zoning ordinance; the Zoning Enforcement Officer shall advise the subdivider or his authorized agent of the regulations pertaining to the proposed subdivision and the procedures to be followed in the preparation and submission of requirements for the determined Minor Subdivision, Major Subdivision or Exception proposal. Minor Subdivisions as defined in the regulations will proceed to the final plat review. Major subdivisions will proceed to the preliminary plat review. This

review shall in no way be construed as constituting an official action of approval for recording of the subdivision by the Town of Norwood as required by this ordinance.

502.06 Disposition of Copies

One (1) copy shall be retained as a part of the files of the Town of Norwood with the other copy being returned to the subdivider or his authorized agent.

Sec. 503. Minor Subdivisions

A plat of any proposed minor subdivision as defined in Article IV, Section 403, shall be submitted to the Zoning Enforcement Officer for review by the Project Review Committee, which shall recommend approval or disapproval to the Planning Board which shall have the authority to approve or disapprove the plat. Minor Subdivisions shall conform to the following requirements:

503.01 Number of Copies

A minimum of three (3) copies of a MINOR SUBDIVISION PLAT shall be submitted.

503.02 Size of Plan and Scale

The plat shall be at an appropriate engineering graphic scale but no less than 1"-200'. Title, Date, and North Point Arrow shall be noted.

503.03 Administrative Fees

A MINOR SUBDIVISION PLAT submitted for review shall be accompanied by an application and review fee as per the Town's schedule of fees.

503.04 Certification Required

Certification of approval: The following certification shall be lettered, rubber stamped or affixed to the plat in such a manner as to insure that said certificate will be legible on any prints made therefrom:

I hereby certify that this Minor Subdivision meets the requirements of the Subdivision Ordinance of the Town of Norwood, North Carolina.

Chairman, Planning Board

Date

503.05 Contents Required

(a) A sketch vicinity map showing the location of proposed subdivision, streets, water courses, railroads, bridges, Town Limit line, and north arrow declination.

- (b) Boundaries of property concerned shown with bearings and distance.
- (c) Names of adjoining property owners or subdivision.
- (d) Zoning classification on the land to be subdivided and on adjoining lands.
- (e) Proposed minimum setback lines.
- (f) Site data:
 - (1) Acreage in total tract to be subdivided
 - (2) Average lot size
 - (3) Proposed street and lot layout
 - (4) Total number of lots existing and proposed
 - (5) Existing and proposed property lines
 - (6) Street rights-of-way, public utility easements, sewers, culverts, drainage pipes, water mains, and transmission lines
 - (7) Existing buildings
 - (8) Location of fire hydrants
- (g) The name of the owner, engineer, surveyor and/or planner.
- (h) Title: Name, Date, scale-denoted graphically or numerically.
- (i) An Erosion Control Plan (if applicable).

503.06

Review Procedure

The Project Review Committee shall review the MINOR SUBDIVISION PLAT or general compliance with the requirements of this ordinance and the zoning ordinance and of any recommendations necessary and, within 45 days, send to the Planning Board; the Planning Board shall advise the subdivider, in writing, of approval or disapproval of the plat within fourteen (14) working days after it has been received.

503.07

Decision, Notice and Appeals

Following completion of Planning Board review for compliance with the requirements of this ordinance, subdivision proposals shall be approved, conditionally approved, or disapproved. Written notice will be given within five (5) working days following Planning Board review completion. The statement of action taken shall be noted on or attached to two (2) copies of the plat. One copy shall be returned to the subdivider or his agent by certified mail, or personal delivery. One copy shall be retained by the Zoning Enforcement Officer.

In case of conditional approval, the reasons and conditions to be met for final approval shall be specified in writing on or attached to the plat and distributed as stated above. The Planning Board may require the subdivider to submit a revised plat including recommended changes before approving the plat.

When a plat is disapproved, the Planning Board shall specify the reasons for such action in writing on or attached to the plat and distributed as stated above. If the plat is disapproved, the subdivider may make the necessary changes and submit a revised plan for review.

Any notice of Planning Board review decision may be appealed to the Norwood Town Board of Commissioners. All appeals shall be in writing stating parts of Decision Notice appealed from, reason for appeal, and desired action on every point. Appeals may be filed in the office of the Town Clerk within thirty (30) days of notice receipt by the subdivider or his agent. The Zoning Enforcement Officer shall submit the written appeal as well as the decision and plat appealed from to the appeal Board.

Subdivision plats and appeals shall be considered and decided on at regular board meeting as quickly as administratively possible, according to normal procedures of the Board.

Notice of appeal decisions shall be mailed by certified mail or personally delivered to the subdivider or his agent. Appeals from decisions of the Town Board may be made only as provided by North Carolina General Statute.

Sec. 504. Major Subdivisions

A preliminary and a final plat of any proposed major subdivision as defined in Article IV, Section 403, shall be submitted to the Zoning Enforcement Officer for review by the Project Review Committee and the Planning Board.

The Project Review Committee shall either approve or disapprove the preliminary plat within 45 days. If the plat is approved, it shall be sent to the Planning Board for review at the next regularly scheduled meeting.

The Planning Board shall either approve or disapprove the preliminary plat based on compliance with the requirements of this ordinance, the zoning ordinance and the appropriateness of the plat to the needs of the community. If the plat is approved, it shall be sent to the Norwood Board of Commissioners for review at the next regularly scheduled meeting.

Sec. 504-A. Preliminary Plat

- 504A.01** Number of Copies
Eight (8) copies of the PRELIMINARY Plat shall be submitted. Three (3) copies shall be disposed of as provided under Paragraph 504A.07; five (5) copies shall be distributed for review as provided in Paragraph 504A.06.
- 504A.02** Size of Plat and Scale
The plat shall be at an appropriate engineering graphic scale but no less than 1"-200'. Title, Date, and North Point Arrow shall be noted.
- 504A.03** Administrative Fees
Submission of the Preliminary Plat must be accompanied by a filing fee as per the Town's schedule of fees.

504A.04

Certifications Required

No certification must be provided in connection with the submission of PRELIMINARY Plats.

504A.05

Contents Required

The PRELIMINARY plat shall depict or contain the following information; plats not illustrating or containing the following data shall be returned to the subdivider, or his authorized agent, for completion resubmission:

- (a) The proposed name of the subdivision;
- (b) A sketch vicinity map showing the relationship between the proposed subdivision and the surrounding area;
- (c) The boundaries of the tract or portion thereof to be subdivided; distinctly and accurately represented, with all bearings and distances shown;
- (d) Scale denoted both graphically and numerically;
- (e) North arrow and declination;
- (f) The plans for proposed utility layouts including sanitary sewers, storm sewers, water distribution lines, natural gas, telephone and electric service, illustrating connections to existing systems. Plans for water supply and/or sewage disposal must be accompanied by letters of preliminary approval by the appropriate county and state authorities;
- (g) Proposed street names;
- (h) The zoning classification(s) of the tract to be subdivided and of adjoining properties;
- (i) Proposed location and size of parks, school sites, or other recreational or open spaces, if any, and their future ownership (dedication to public use to governmental body, for owners to duly constituted homeowners or community association, for tenants remaining in subdividers ownership);
- (j) Site calculations, including:
 - (1) acreage in total tract to be subdivided
 - (2) acreage in parks and other nonresidential use
 - (3) total number of parcels created
 - (4) linear feet in streets;
- (k) Proposed minimum building setback lines;

- (l) Any proposed riding trails, natural buffers, pedestrian, bicycle, or other rights-of-way, utility or other easements, their location, width and purposes;
- (m) County Fire Marshal and/or special fire district: Adequacy of water pressure for firefighting, location of fire hydrants, accessibility of properties for emergency vehicles.
- (n) Proposed streets, existing and platted streets on adjoining properties and in the proposed subdivision, rights-of-way, pavement widths, approximate grades, design engineering data for all corners and curves, and typical street cross sections. If any street is proposed to intersect with a State maintained road, the plat shall be accompanied by an application for driveway approval as required by the Department of Transportation, Division of Highway's Manual on Driveway Regulations;
- (o) Existing and proposed property lines, both on the tract to be subdivided and on adjoining properties, buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and on the land immediately adjoining; corporate limits, township boundaries, and county lines;
- (p) Proposed lot lines, lot and block numbers, and approximate dimensions;
- (q) The PRELIMINARY plat shall be accompanied by a copy of any proposed deed restrictions or similar covenants (mandatory when private recreation areas are established);
- (r) Date of plat preparation;
- (s) The name(s) of the township(s), county, and state in which the subdivision is located;
- (t) The name(s), address(es), and telephone number(s) of the owner(s), mortgagee(s), registered surveyor(s), land planner(s), architect(s), landscape architect(s), and professional engineer(s) responsible for the subdivision.
- (u) Environmental Impact Statement. Pursuant to Chapter 119 of the North Carolina General Statutes, the Planning Board may require the subdivider to submit an environmental impact statement with his PRELIMINARY plat if:
 - (1) the development exceeds two acres in area, and
 - (2) the Board deems it necessary due to the nature of the land to be subdivided, or peculiarities in the proposed layout;

- (v) Any other information considered by either the subdivider or the Planning Board to be pertinent to the review of the PRELIMINARY plat, i.e., topographic map showing vertical contours every five (5) feet;
- (w) Landscaping Plans. Plans for vegetating all road banks, side ditches, water disposal systems, yards, etc., stating rates for materials to be used.

504A.06

Review Procedure

The Planning Board and the Town Board of Commissioners shall review and take action on each PRELIMINARY plat within forty-five (45) days after first consideration by the Planning Board. First consideration shall be at the next regularly scheduled meeting of the Planning Board that follows at least fourteen days after the plat is submitted. Before taking final action on the plat, the Planning Board shall refer copies of the plat and any accompanying material to those public officials and agencies concerned with new development, including, but not limited to, the Town Office, Stanly County Health Department, N.C. State Highway Commission, the appropriate county soil conservation service office, etc., for review and recommendations.

504A.07

Decision, Notice and Appeals

Following completion of Planning Board review for compliance with the requirements of this ordinance, subdivision proposals shall be approved, conditionally approved, or disapproved. Written notice will be given within five (5) working days following Planning Board review completion. The statement of action taken shall be noted on or attached to two (2) copies of the plat. One copy shall be returned to the subdivider or his agent by certified mail, or personal delivery. One copy shall be retained by the Zoning Enforcement Officer.

In case of conditional approval, the reasons and conditions to be met for final approval shall be specified in writing on or attached to the plat and distributed as stated above. The Planning Board may require the subdivider to submit a revised plat including recommended changes before approving the plat.

When a plat is disapproved, the Planning Board shall specify the reasons for such action in writing on or attached to the plat and distributed as stated above. If the plat is disapproved, the subdivider may make the necessary changes and submit a revised plat for review.

Any notice of Planning Board review decision may be appealed to the Norwood Town Board of Commissioners. All appeals shall be in writing, stating parts of Decision Notice appealed from, reason for appeal, and desired action on every point. Appeals may be filed in the office of the Zoning Enforcement Officer within thirty (30) days of notice receipt by the subdivider or his agent. The Zoning Enforcement Officer shall submit the written appeal as well as the decision and plat appealed from to the appeal Board.

504A.08 Certification of Tentative Approval

- (a) The following certification shall be lettered, rubber stamped or affixed to the Preliminary plat in such a manner as to insure that said certificate will be legible on any prints made therefrom:

I hereby certify that tentative approval was granted to this Preliminary Plat by the:

- (a) **Norwood Planning Board on the** ____ **day of** _____, ____.

Chairman

- (b) **Norwood Board of Commissioners on the** ____ **day of** _____, _____.

Mayor

- (c) The Planning Board and Town Board tentative approval for a Preliminary plat is valid for one (1) year from date of approval. (Tentative approval authorizes developer improvements to be made upon the issuance of a subdivision permit.)

Sec. 504-B. Final Plat

504B.01 Improvements, Installations or Guarantees

Upon approval of the PRELIMINARY plat by the Planning Board and the Town Board, the subdivider may proceed with the preparation of the FINAL plat, and the installation or arrangement for required improvements in accordance with the approved PRELIMINARY plat and the requirements of this ordinance.

Prior to approval of a FINAL plat, the subdivider shall have installed improvements specified in this ordinance or guaranteed their installation as provided.

504B.02 Performance Guarantee

In lieu of prior construction of the improvements required by this ordinance, the Town of Norwood may, for the purpose of approving a FINAL plat, accept a guarantee from the subdivider that such improvements will be carried out according to the Town's specifications at his expense. Such guarantee may be in the form of a surety bond made by a surety company licensed to do business in North Carolina or certified check drawn in favor of the Town of Norwood or cash deposited with the Town of Norwood or a letter of credit from a lender. Such guarantee shall be in an amount of not less than one hundred percent (100%) nor more than one hundred twenty-five percent (125%) of the estimated cost of the

construction of the required improvements. This amount shall be determined by the Town Board of Commissioners. Performance guarantees shall run for a period of one (1) year. Improvements must be completed within that time period of one year or guarantee is forfeited unless extended by the Town Board of Commissioners.

504B.03 Defects Guarantee

The Town Board of Commissioners shall require a bond guaranteeing utility taps, curbs, gutters, street pavement, sidewalks, drainage facilities, water and sewer lines, and other improvements against defects for one (1) year after acceptance of improvements by the Town of Norwood. This bond shall be in the amount determined by the Zoning Enforcement Officer or Consulting Engineer and shall be in cash or be made by a surety company authorized to do business in North Carolina.

504B.04 Maintenance Guarantee

The Town Clerk shall secure from all subdividers a letter in which said subdivider shall agree to maintain the backfill and any improvements located thereon and therein and any ditch which has been dug in connection with the installation of such improvements. Such letter shall be binding on the subdivider for a period of one (1) year after the acceptance of such improvements by the Town of Norwood.

504B.05 Final Plat Review Contingent Upon Execution of Guarantees

No FINAL plat will be accepted for review by the Planning Board or Town Board of Commissioners unless accompanied by written notice by the Zoning Enforcement Officer acknowledging compliance with this ordinance.

504B.06 The Final Plat

- (a) The FINAL plat will constitute only that portion of the PRELIMINARY plat which the subdivider proposes to record and develop at the time; such portion shall conform to all requirements of this ordinance.
- (b) No FINAL plat shall be approved unless and until the subdivider shall have installed in that area represented on the FINAL plat all improvements required by this ordinance or shall have guaranteed their installation as provided for in paragraphs 504B.08 through .10 hereof.

504B.07 Plat Submitted

The subdivider shall submit the FINAL plat, so marked, to the Zoning Enforcement Officer not less than fourteen (14) days prior to the Planning Board meeting, at which it will be considered for approval; further, the plat shall be submitted not more than twelve (12) months after the date on which the PRELIMINARY plat was approved, otherwise such approval shall be null and void unless a written extension of this time limit is granted by the Town Board on or before the one (1) year anniversary of the approval.

504B.08

Plat Prepared

The FINAL plat shall be prepared by a surveyor or professional engineer licensed and registered to practice in the State of North Carolina. The FINAL plat shall substantially conform to the PRELIMINARY plat as it was approved. The FINAL plat shall conform to the provision of Section 47-30 of the General Statutes of North Carolina.

504B.09

Number of Copies and Graphic Media

Five (5) copies of the FINAL plat shall be submitted; two (2) of these shall be drawn in ink on linen or film suitable for reproduction; three (3) shall be black or blue line paper prints.

504B.10

Size of Plat and Scale

FINAL plats shall have an outside marginal size of not more than 24" x 36" nor less than 8.5" x 11". FINAL plats shall be drawn at a scale of 1" = 200', or greater.

504B.11

Administrative Fees

Submission of the FINAL plat must be accompanied by a filing fee as per the Town's schedule of fees.

504B.12

Certification Required

The following certificates shall be lettered or rubber stamped or otherwise included on the final plat in such a manner as to insure that said certificate will be legible on any prints made therefrom:

(a) Certificate of Ownership and Dedication

I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the Town of Norwood and that I hereby adopt this plan of subdivision with my free consent, established minimum building setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements to public or private use as noted. Furthermore, I hereby dedicate all sanitary sewer, storm water and water lines to the Town of Norwood.

_____ **Date**

_____ **Owner(s)**

(b) Certification of the Approval of the Installation and Construction of Streets, Utilities and Other Required Improvements

I hereby certify: 1) that streets, utilities and other required improvements of this subdivision have been installed in an acceptable manner and according to Town specifications and standards or; 2)

- (i) Property lines, buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and on the land immediately adjoining, corporate limits, township boundaries, and county lines;
- (j) Sufficient engineering data to determine readily and reproduce on the ground every straight and curved boundary line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or reflection angles, radii, central angles, and tangent distances for the center line of curved streets and curved property lines that are not the boundary of curved streets. All dimensions shall be measured to the nearest one-tenth (1/10) of a foot and all angles to the nearest minute.
- (k) Unless otherwise specified by this ordinance, the Manual of Practice for Land Surveying as adopted by the N.C. State Board of Registration for Professional Engineers and Land Surveyors, under the provisions of Title 21 of the North Carolina Administrative Code, Chapter 56 (21 NCAC 56), shall apply when conducting surveys for subdivisions; to determine the accuracy for surveys and placements of monuments, control corners, markers, and property corner ties; and to determine other standards and procedures governing the practice of land surveying for subdivisions.
- (l) The blocks numbered consecutively throughout the entire subdivision and the lots numbered consecutively throughout each block;
- (m) The deed restrictions or any other similar covenants proposed for the subdivision; if any;
- (n) The date of the survey and plat preparation;
- (o) North arrow and declination;
- (p) All certifications required by Section 504B.12 of this Article;
- (q) The name(s) of the township(s), county(s), and state in which the subdivision is located;
- (r) The name(s), address(es), and telephone number(s) of the owner(s), mortgagee(s), registered surveyor(s), land planner(s), architect(s), landscape architect(s), and professional engineer(s) responsible for the subdivision and the registration number(s) and seal(s) of the professional engineer(s) and registered surveyor(s);
- (s) Any other information considered by either the subdivider of the Planning Board to be pertinent to the review of the FINAL plat.

504B.14 Review Procedure

FINAL plats shall be reviewed according to the following procedure:

504B.14.01 Planning Board Review

- (a) The Planning Board shall approve or disapprove the FINAL plat within thirty (30) days of its first consideration.

- (b) During its review of the FINAL plat, the Planning Board may appoint an engineer or surveyor to confirm the accuracy of the FINAL plat. If substantial errors are found, in the opinion of the Planning Board, the costs shall be charged to the subdivider and the plat shall not be approved until such errors have been corrected.

- (c) If the Planning Board approves the FINAL plat, such approval shall be indicated on each copy of the plat by the following signed certificate:

Certification of Approval by the Planning Board

The Norwood Planning Board hereby approves the FINAL plat for the _____ Subdivision.

Date

Chairman, Norwood Planning Board

- (d) If the Planning Board disapproves the FINAL plat, the Planning Board shall state in writing its reasons for such action, specifying the provisions of this ordinance with which the plat does not comply. One (1) copy of this statement shall be transmitted to the subdivider within fifteen (15) days of disapproval; one (1) copy shall be retained by the Planning Board as a part of its proceedings, and one (1) copy shall be sent to the Town Clerk. If the FINAL plat is disapproved, the subdivider may make such changes as will bring the plat into compliance with the provisions of this ordinance and resubmit same for reconsideration by the Planning Board.

- (e) If the Planning Board fails to approve or disapprove the FINAL plat within thirty (30) days after first consideration, as previously defined in paragraph 4.06, such failure shall be deemed approval and shall constitute grounds for the subdivider to apply for FINAL approval by the Town Board of Commissioners.

504B.14.02 Town Board of Commissioners Review

- (a) The Town Board of Commissioners shall review the FINAL plat with the recommendations of the Planning Board and shall approve or disapprove the plat within forty-five (45) days after it has been received from the Planning Board.

- (b) If the Town Board of Commissioners approves the FINAL plat, such approval shall be shown on each copy of the plat by the following signed certificate:

Certificate of Approval for Recording

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for Norwood, North Carolina, and that this plat has been approved by the Town Board of Commissioners for recording in the office of the Register of Deeds of Stanly County.

Date

Town Clerk, Town of Norwood

- (c) If the FINAL plat is disapproved by the Town Board of Commissioners, the reasons for such disapproval shall be stated in writing, specifying the provision(s) of this ordinance with which the FINAL plat does not comply. One (1) copy of such reasons shall be retained by the Town Board of Commissioners as a part of its proceedings, one (1) copy shall be transmitted to the Planning Board, and one (1) copy shall be transmitted to the subdivider. If the FINAL plat is disapproved, the subdivider may make such changes as will bring the FINAL plat into compliance with this ordinance and resubmit same for reconsideration by the Planning Board.

504B.15

Effect of Plat Approval on Dedications

The approval of a FINAL plat shall not be deemed to constitute or effect the acceptance by the Town of the dedication of any street or other ground, public utility line, or other public facility shown on the plat. However, the Town of Norwood may, by resolution of the Town Board of Commissioners, accept any dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision regulation jurisdiction. Acceptance of dedications of lands or facilities located within the subdivision regulation jurisdiction but outside the corporate limits of the Town shall not require the town to open, operate, repair, or maintain any street, utility line or other land or facility, and the town shall in no event be responsible in any civil action or proceeding for failure to open, repair, or maintain any street located outside its corporate limits.

504B.16

Disposition of Copies

If the FINAL plat is approved by the Town Board of Commissioners, the original tracing and one (1) print of the plat shall be returned to the subdivider. One (1) reproducibile tracing and one (1) print shall be filed with the Town Clerk; one (1) print shall be retained by the Planning Board.

504B.17

Recording of the Final Plat

The subdivider shall file the approved FINAL plat with the Register of Deeds of Stanly County for recording within sixty (60) days after the date of Town Board of Commissioners approval; otherwise, such approval shall be null and void.

504B.18

Re-subdivision Procedures

For any re-platting or re-subdivision of land, the same procedures, rules and regulations shall apply as prescribed herein for an original subdivision. Lot sizes may, however, be varied on an approved plan after recording, providing that (a) no lot or tract of land shall be created or sold that is smaller than the size shown on the approved plan; (b) drainage, easements or rights-of-way shall not be changed; (c) street alignment and block sizes shall not be changed; (d) the property line between the back of the lots shall not be changed; (e) the rear portion of lots shall not be subdivided from the front part; (f) the character of the area shall be maintained.

Sec. 505.

Exceptions

505.01

Scale

An EXCEPTION plat shall be drawn at an appropriate engineering scale which will readily depict the existing conditions and the proposed change.

505.02

Contents

The EXCEPTION plat shall contain at least the following information:

- (a) The location of existing and platted property lines, streets and buildings, watercourses, railroads, transmission lines, sewers, bridges, culverts, draining pipes, water mains, town limit lines and public utility easements;
- (b) Boundaries of property concerned, shown with bearing and distance;
- (c) Names of adjoining property owners or subdivisions;
- (d) Zoning classification, if any, both on the land to be subdivided and on adjoining lands;
- (e) Existing lot and block numbers and approximate proposed block numbers;
- (f) Proposed minimum setback lines;
- (g) Title, date, north arrow point and graphic scale;
- (h) Name of owner, engineer, surveyor and/or planner;
- (i) Site Date:
 - 1. Acreage in total tract

2. Acreage in other land use
 3. Average lot size
 4. Total number of lots existing and proposed
 5. Lineal feet of streets;
- (j) Sketch and vicinity map, showing relationship between the EXCEPTION and surrounding area;
- (k) Certification of Approval: The following certification shall be included on the EXCEPTION in such a manner as to insure that such certificate will be legible on any prints made therefrom:

I hereby certify that this EXCEPTION plat meets the requirements of the Subdivision Ordinance of the Town of Norwood, North Carolina.

Zoning Enforcement Officer

ARTICLE VI – DEVELOPMENT DESIGN STANDARDS

Sec. 601. Conformity to Existing Maps or Plans

The location and width of all proposed streets shall be in conformity with official plans or maps of the Town and with existing or amended plans of the Planning Board.

Sec. 602. Continuation of Adjoining Street System

The proposed street layout shall be coordinated with the street system of the surrounding area and, where possible, existing principal streets shall be extended.

Sec. 603. Access to Adjacent Properties

Where, in the opinion of the Planning Board, it is desirable to provide for street access to an adjoining property, proposed streets shall be extended by dedication to the boundary of such property and a temporary turn-around (cul-de-sac) shall be provided.

Sec. 604. Private and Reserve Strips

There shall be no private streets or reserve strips platted in any subdivision.

Sec. 605. Large Tracts or Parcels

Where land is subdivided into larger parcels than ordinary building lots, such parcels shall be so arranged as to allow for the opening of future streets and logical further re-subdivision.

Sec. 606. Double-Frontage and Single-Tier Lots

Double-frontage lots shall be avoided. Single-tier lots of greater than minimum depth should be provided along thoroughfares or major streets, railroads, physical barriers and non-residential uses.

Sec. 607. Contour Map

If, in the opinion of the Planning Board or Town Board, the topography or drainage characteristics of the tract of land to be subdivided warrants special consideration, the subdivider shall submit, upon request, a contour map of a specified interval.

Sec. 608. Street Names

- (a) Proposed streets, which are obviously in alignment with others existing and named, shall bear the assigned name of the existing streets. In no case shall the name for proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix street, avenue, boulevard, drive, place, court, etc.
- (b) The Town shall bear the cost of installing street signs at all intersections as shown on the final plat.

Sec. 609. Storm Drainage

All water courses not situated within street rights-of-way but which provide drainage for public streets shall be designated and improved in one of the following ways:

- (a) Wherever the storm drainage is to be conducted in an enclosed subsurface drain, the pipe size, location and grade shall be as approved by the Town and an easement of approved width shall be clearly shown and located on the plat. Such easement shall be kept free and clear of any buildings or other improvements which would interfere with the proper maintenance of the underground pipes.
- (b) Wherever a water course is too large to be accommodated in subsurface drains, a dedication of land to public use for storm drainage and park purposes shall be made except where an easement may be allowed as specified below. For any area so dedicated to public use, at least forty percent (40%) of its total perimeter shall abut one or more public streets and the average width of the area shall be at least two hundred (200) feet.
- (c) In those situations where a water course cannot be accommodated in an area dedicated to public use for storm drainage, a drainage easement on private property having a minimum width of one hundred (100) feet or wider as required by the Town, unless channel improvements of a permanent nature will allow a lesser width, may be permitted upon specific approval of the Planning Board.

- (d) Anyone constructing a dam or impoundment within the subdivision must comply with the North Carolina Dam Safety Law of 1967 and the North Carolina Administrative Code Title 15, Subchapter 2 K, or any amendments thereto.

Sec. 610. Sites of Public Uses

In subdividing property due consideration shall be shown by the subdivider for public needs by the provision of lands for parks, schools and other public uses.

- (a) Where a school site may be required according to plans for the development of an adequate school system, a reservation of land for this purpose shall be shown on the preliminary plat and the subdivider shall make such school site available for acquisition by the appropriate school board for a period of at least three years after the date of preliminary approval.
- (b) If the Planning Board or Town Board determines that at least ten percent (10%) of the area of a subdivision is necessary and appropriate to meet the needs of such subdivision for park and recreation uses exclusive of property required primarily for storm drainage purposes and provided that such parks land shall be established within the limits of good design. Wherever land is subdivided and sufficient appropriate and adequate space to meet the needs of the particular subdivision for park and recreation purposes is made an integral part of the design, the Town will consider a proposal to reimburse the subdivider for such park land in an amount not to exceed the raw land value as established by competent appraisal.
- (c) Wherever park land is shown as a part of a subdivision, it shall conform to the following:
 - (1) All land proposed for purchase as park sites shall be shown on the preliminary plat and be subject to the approval of the Planning Board prior to submission to the Town Board.
 - (2) Land dedicated for park purposes may be contiguous with an area used primarily for drainage; however, park lands must be separate and apart from flood plains, drainage and other easements. Consideration should be given to park lands adjacent to proposed school sites. A fee simple deed granting to the Town the area on said plat dedicated for parks shall accompany all final plats; provided that in the event the plat is not approved by the Town Board, the deeds shall be deemed to be not accepted by the Town and shall be returned to the grantor or grantors.

Sec. 611. Streets and Alleys

The design standards which shall apply to streets and alleys are as follows. (In the event design standards listed here should conflict with NCDOT standards, the NCDOT standards shall be adhered to):

- (a) Right-of-Way Width: Minimum street right-of-way widths shall be as shown on the Major Street Plan and shall be not less than the following:
- | | | |
|-----|---|---------|
| (1) | Major street and thoroughfares | 60 feet |
| (2) | Collector streets | 60 feet |
| (3) | Minor (residential) streets | 50 feet |
| (4) | Marginal access streets | 50 feet |
| (5) | Cul-de-sacs | 50 feet |
| (6) | All streets located beyond the corporate limits of the Town and within the one mile thereof | 60 feet |
- (b) Pavement Width: Pavement widths back to back of curb shall be not less than the following:
- | | | |
|-----|-----------------------------|---------|
| (1) | Major streets and highways | 30 feet |
| (2) | Collector streets | 30 feet |
| (3) | Minor (residential streets) | 24 feet |
| (4) | Marginal access streets | 24 feet |
| (5) | Cul-de-sacs | 24 feet |
- (c) Grades: Unless necessitated by exceptional topography and subject to the approval of the Town, street grades shall be as follows:
- (1) Street grades shall be not more than nine percent (9%) nor less than one-half of one percent.
 - (2) Grades approaching intersections shall not exceed five percent (5%) for a distance of not less than one hundred (100) feet from the centerline of said intersection.
- (d) Horizontal Curves: Where a center line deflection angle of more than ten (10) degrees occurs, a circular curve shall be introduced, having a center line radius of not less than the following:
- | | | |
|-----|-------------------|----------|
| (1) | Major streets | 300 feet |
| (2) | Collector streets | 230 feet |
| (3) | Minor streets | 150 feet |
- (e) Vertical Curves: All vertical curves shall have such length as necessary to provide safe sight distance and shall be approved by the Town.
- (f) Tangents: A tangent of at least one hundred (100) feet in length shall be provided between curves on all streets.
- (g) Intersections: Street intersections shall be laid out as follows:

- (1) Streets shall intersect as nearly as possible at right angles and no street shall intersect at less than sixty (60) degrees. The most desirable intersection has angles of 75 to 90 degrees. A 10' x 70' sight triangle is required at each intersection.
 - (2) Intersections with a major street or highway shall be at least eight hundred (800) feet apart measured from centerline to centerline.
 - (3) Property lines at street intersections shall be rounded with a minimum radius of twenty (20) feet.
 - (4) Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be prohibited.
- (h) Cul-de-sacs: Permanent dead end streets shall be provided with a turn-around having a roadway diameter of at least eighty (80) feet and a right-of-way diameter of at least one hundred (100) feet. Temporary and dead end streets shall be provided with a turn-around having a radius of at least one-half of the right-of-way of the street.
- (i) Alleys: Alleys of at least twenty (20) feet in width shall be provided to the area of all lots used for business purposes, and shall not be provided in residential blocks unless approved or required by the Town Board. All dead end alleys shall be provided with a turn-around having a roadway diameter of at least eighty (80) feet.

Sec. 612. Blocks

The length and width of blocks within subdivisions shall be as follows:

- (a) Length: Block length shall not exceed twelve hundred (1,200) feet or be less than four hundred (400) feet. Where deemed necessary by the Planning Board, a pedestrian crosswalk at least five (5) feet in width may be required.
- (b) Width: Blocks shall have sufficient width to allow two tiers of lots of minimum depth except where a greater width is required to separate residential development from through vehicular traffic.

Sec. 613. Lots

All lots shall front upon a public street and the size, shape and orientation of lots shall be appropriate for the type of development and use contemplated. Residential lots shall comply with Article VII, Sec. 75, in the Zoning Ordinance of the Town of Norwood.

- (a) Orientation: Side lot lines shall be substantially at right angles or radial to street lines.
- (b) To promote energy conservation, lots in the subdivision shall, to the extent possible in light of topographic and other considerations, face streets which run in an east-west

direction, to provide greater opportunity for south orientation of windows in buildings. In manufactured home subdivisions, if units will be sited with the long axis perpendicular to the street, lot shall, to the extent possible, face streets which run in a north-south direction.

Sec. 614. Building Setback Lines

The minimum setback from property lines shall adhere to the requirements as set forth in Article VI, Sec. 75, in the Zoning Ordinance of the Town of Norwood.

Sec. 615. Easements

Utility and other easements shall be provided as follows:

- (a) Utility easements centered on rear of side lot lines shall be provided where necessary and shall be at least ten (10) feet in width.
- (b) Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width or construction, or both, as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith.
- (c) Lakes, ponds, creeks, and similar areas within the Town may be accepted for maintenance only if sufficient land is dedicated as a neighborhood recreation area or park or if such area constitutes a necessary part of the drainage control system. Such areas must be approved by the Planning Board before approval of the final plat.

Sec. 616. Buffer Strips

- (a) See Article VII, Sec. 75(e), Buffers and Screening, in the Zoning Ordinance for the Town of Norwood.
- (b) In residential districts a buffer strip of at least thirty (30) feet in depth in addition to the normal lot depth required shall be provided adjacent to all railroad, limited access highways, and commercial or industrial developments. This strip shall be a part of the platted lots,

Sec. 617. Water and Sewer Utilities

Sewer and water utilities which do not come under the immediate supervision of the municipality shall comply with the following:

- (a) Community water systems. An acknowledgement from the Director, Sanitary Engineering Division, State Board of Health, to the town confirming their authorization for a community water system.

- (b) Central sewerage system. An acknowledgement from the North Carolina Stream Sanitation Committee to the town confirming their authorization for the installation of a central sewerage system.
- (c) Individual sewer and water system. An acknowledgement from the Health Director in whose jurisdiction the subdivision falls indicating that the water supply and sewage disposal system installed or proposed for installation in the specific subdivision fully meets the requirements of the North Carolina State Board of Health.
- (d) The Town of Norwood is not required to provide sewer services in a subdivision in which the Town does not control the water system.

Sec. 618. Suitability of Land

- (a) Land which has been determined by the reviewing Planning Agency on the basis of engineering or other expert surveys to pose an ascertainable danger to life or property by reason of its unsuitability for the use proposed shall not be platted for that purpose, unless and until the subdivider has taken the necessary measures to correct said conditions and to eliminate said dangers.
- (b) Areas that have been used for disposal of solid waste shall not be subdivided unless tests by the Stanly County Health Department, a structural engineer, or a soils expert determine that the land is suitable for the purpose proposed.
- (c) All subdivision proposals shall be consistent with the need to minimize flood damage and the Stanly County Flood Damage Prevention Ordinance.
- (d) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- (e) Areas which, because of natural features, are not suitable for building purposes shall be permanently reserved and marked on the Final Plat stating purpose of reservation.

Sec. 619. Reference to the Zoning Ordinance

Please reference to Article VII, area, yard and height requirements, of the Zoning Ordinance for the Town of Norwood for additional requirements.

Sec. 620. Adequate Public Facilities Standards

To ensure public health, safety and welfare, the Planning Board shall review each subdivision, multi-family development, and manufactured home park to determine if public facilities are adequate to serve that development.

The public facilities to be considered include, but are not limited to schools, water, sewer, fire and rescue, law enforcement and other city/county facilities. Applicable state standards and

guidelines shall be followed for determining whether facilities are adequate. Facilities must be in place or programmed to be in place within two years of the preliminary approval to be considered adequate. The Planning Board may grant or recommend partial approval of developments based on limited adequacy.

All residential subdivision, multi-family residences, and mobile home parks shall comply with the standards as required by the Stanly County Adequate Public Facilities Ordinance as amended from time to time.

Appeals, to this section only, shall be made within 30 days to the Stanly County Board of County Commissioners.

ARTICLE VII – INSTALLATION OF IMPROVEMENTS

Sec. 701. Installation of Improvements

Approval of the final plat shall be subject to the subdivider having installed the improvements hereinafter designated or having guaranteed, to the satisfaction of the Town, the installation of said improvements.

Sec. 702. Guarantee of Improvements

Where the required improvements have not been completed prior to the submission of the plat for final approval, the approval of said plat shall be subject to the subdivider guaranteeing the installation of the improvements in one of the following methods:

- (a) Filing a performance or surety bond in an amount to be determined by the Town.
- (b) Depositing or placing in escrow a certified check or cash in an amount to be determined by the Town. Portions of the security deposit may be released as work progresses.
- (c) Entering into an agreement with the Town guaranteeing the completion of the required work, said agreement to be binding on subsequent purchasers of the property and to be recorded at the option of the Town. The agreement shall permit progressive development by sections and shall provide that satisfactory security be furnished the Town guaranteeing the completion of the necessary improvements before each section is developed.
- (d) Obtaining a letter of credit from a lending institution.

Sec. 703. Installation of Improvements With the Town Limits

- (a) Street Improvements: The following requirements shall apply to all streets within the corporate limits of the Town:

1. Grading: All streets shall be graded to their full right-of-way width. Finished grade, cross section and profile shall be approved by the Town.
 2. Paving: Road base and paving shall be installed in accordance with the provisions of Section 611 of this ordinance and Town policy.
 3. Curbs and Gutters: Combination curb and gutter shall be installed in accordance with the provisions of Section 611 of this ordinance and Town policy. NCDOT specifications will apply in the absence of other specifications or in the event of less restrictive specifications.
- (b) Sidewalks: Sidewalks shall be constructed on such streets as the Town Board considers sidewalks necessary. Sidewalks shall be constructed within the street right-of-way and installed in accordance with Town policy.
- (c) Utilities: Storm sewers, sanitary sewers and water mains shall be installed in accordance with the conditions of established Town policy and shall be approved by the Town. Should private water and sewerage systems be provided such shall meet the requirements of the North Carolina State Health Department or Board of Water and Air Resources, as applicable.

Sec. 704. Improvements Beyond the Town Limits

In the adoption of this ordinance, the Town Board recognizes that under the General Statutes it may not be mandatory that a subdivision located beyond the Town limits shall comply with the requirements set forth in the improvements section and subsection of this ordinance, as a condition precedent for final approval of a plat of such subdivision. However, unless such requirements as complied with by the subdivider, the Town will not extend any public service and will not extend its water or sewer mains to any such subdivision or permit any connection thereto.

ARTICLE VIII – VARIANCES

Sec. 801. Variances

Where, because of topographical or other conditions peculiar to the site, strict adherence to the provisions of the regulations of this ordinance would cause an unnecessary hardship, the Planning Board may recommend the Town Board authorize a variance, if such variance can be made without destroying the intent of this ordinance. Any variance thus authorized is required to be entered in writing in the Minutes of the Planning Board and of the Town Board and the reasoning on which the variance was justified set forth.

Sec. 802. Group Development or Planned Unit Development

Subject to the approval of the Town Board, the standards and requirements of this ordinance may be modified by the Planning Board in the case of a plan and program for a complete group

development, which in the judgment of the Planning Board provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the Plan.

ARTICLE IX – VALIDITY

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid such declaration shall not affect the ordinance as a whole, or any other part thereof other than the part so declared to be unconstitutional or invalid.

ARTICLE X – EFFECTIVE DATE

Sec. 1001. Recordation

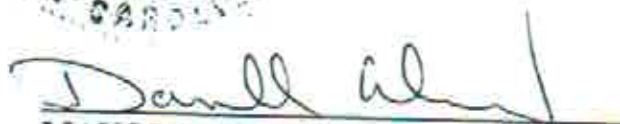
Following passage of this ordinance, the Clerk to the Norwood Board of Commissioners shall cause this ordinance to be registered in the office of the Stanly County Register of Deeds, as well as all further amendments thereto.

Sec. 1002. Adoption

Duly adopted by the Board of Commissioners of the Town of Norwood, North Carolina, this the 7th day of August, 2000.


CLERK, Town of Norwood

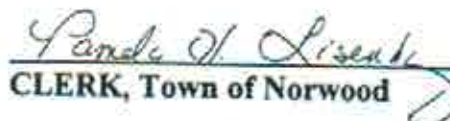




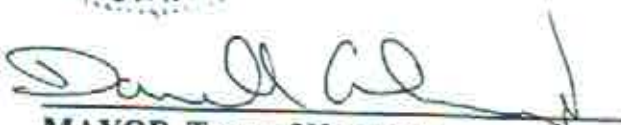
MAYOR, Town of Norwood

Sec. 1003. Effective Date

The effective date of this ordinance shall be August 7, 2000.


CLERK, Town of Norwood





MAYOR, Town of Norwood

NORTH CAROLINA

STANLY COUNTY

THIS IS TO CERTIFY that on this the 7th day of August, 2000, before the undersigned, a Notary Public of said County and State, personally appeared Darrell Almond, who, being duly sworn, says that he is the Mayor of the Town of Norwood, North Carolina, and the foregoing Town of Norwood Subdivision Ordinance was signed by him on behalf of the Town of Norwood and its authority duly given, and caused the same to be attested and the corporate seal of said Town to be affixed thereto by the Clerk of said Board of Commissioners of the Town of Norwood; that the said Darrell Almond is personally known by me to be Mayor of the Town of Norwood, and the corporate seal affixed hereto is the corporate seal of the Town of Norwood, North Carolina.

WITNESS MY HAND AND NOTARIAL SEAL, the date above written.

Parula H. Lisenby

NOTARY PUBLIC

My Commission expires: 11/08/04

