

SUBDIVISION ORDINANCE

FOR

GRANITE FALLS, NORTH CAROLINA

AN ORDINANCE ESTABLISHING COMPREHENSIVE SUBDIVISION REGULATIONS FOR THE TOWN OF GRANITE FALLS, NORTH CAROLINA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF.

ARTICLE I

TITLE

This Ordinance shall be known and may be cited as the Subdivision Ordinance for the Town of Granite Falls, North Carolina.

ARTICLE II

AUTHORITY AND ENACTMENT CLAUSE

The Town Council of the Town of Granite Falls, pursuant to the authority conferred by Chapter 160A-371 through Section 160A-376 of the General Statutes of the State of North Carolina, do hereby ordain and enact into law these Articles and Sections.

ARTICLE III

JURISDICTION AND PURPOSE

SECTION 30. JURISDICTION.

On and after the date of adoption, these regulations shall govern each and every subdivision of land submitted for review within the Town of Granite Falls, and that land as designated by the Official Zoning Map as authorized by North Carolina General Statutes 160A-360, to be known as the extraterritorial area (hereinafter referred to as "Planning Area").

SECTION 31. PURPOSE.

An ordinance establishing procedures and standards for the development and subdivision of real estate and regulating the subdivision of land and for the surveying and platting thereof, as adopted and prescribed in this Ordinance, as hereby found by the Town Council of Granite Falls to be necessary and appropriate in order to aid in promoting the following:

- a. The orderly development of the Planning Area and safeguard conditions essential to public health, safety and welfare;
- b. To provide space for safe and sanitary dwelling accommodations within the Town and Planning Area;
- c. To promote the eventual elimination of unsafe and unsanitary conditions arising from the overcrowding and concentration of population, improper planning, lack of proper light, air and space, unsafe or unsanitary design and arrangements, lack of sanitary facilities, and existences of conditions which endanger life or property by fire or other causes;
- d. To provide for suitable neighborhoods with adequate streets and utilities and appropriate building sites;
- e. To save unnecessary expenditures of public funds by reserving space for public lands and buildings and by initial proper construction of streets and utilities;
- f. To provide for economical and sufficient streets with adequate width and with proper alignment and grade for the coordination of utilities, streets, and highways within proposed subdivisions with existing or planned streets and highways and other public facilities, and;
- g. To provide proper land records for the convenience of the public and for better identification and permanent location of real property boundaries.

ARTICLE IV

NO SERVICE OR PERMITS UNTIL  
FINAL PLAT APPROVED

No street shall be accepted and maintained by the Town nor shall any street lighting, water, or sewer be extended to or connected with any subdivision of land nor shall any permit be issued by an administrative agent or department of the Town for the construction of any building or other improvement requiring a permit, upon any land concerning which a plat is required to be approved, unless and until the requirements set forth in this Ordinance have been complied with.

## ARTICLE V

### LEGAL PROVISIONS

#### SECTION 50. 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 jurisdiction of this Ordinance thereafter subdivides his land in violation of the 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 such ordinance and recorded in the office of the appropriate 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 Council, may enjoin illegal subdivision, transfer, or sale of land by action or injunction. Further, violators of this Ordinance shall be subject, upon conviction, to fine and/or imprisonment as provided by G.S. 14-4.

#### SECTION 51. 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.

#### SECTION 52. VARIANCES.

##### 52.01 VARYING MINIMUM STANDARDS.

These land subdivision regulations are adopted only as minimum requirements. Developers are encouraged to go beyond the standards of these regulations. The Planning Board and the Town Council may require standards above the minimum contained herein whenever the public health, safety, and welfare justify such increase. Furthermore, either Board may reduce or otherwise vary the requirements of these regulations only when it encounters the situation described below. In granting such variances, the Planning Board and Town Council may attach and require whatever conditions it feels are necessary to secure the basic objectives of this Ordinance. Any variance granted shall be noted in the official minutes of both the Planning Board and Town Council along with the reasons which justified the granting of the variance.

##### 52.02. HARDSHIP REQUIRED.

The Planning Board and the Town Council may reduce or otherwise vary the requirements of these regulations only when a definite hardship is created by strict enforcement of the standards herein. The following conditions must be met before any variance can be granted by either the Planning Board or the Town Council.

- A. That a particular hardship to the subdivider would occur because of peculiar physical surroundings or topographical conditions of the specific property involved. A definite major hardship must be demonstrated and distinguished from a minor inconvenience.
- B. That the conditions upon which the request for a variance is based are unique to the property involved and are not generally applicable to other properties and have not been created by any person having an interest in the property.
- C. That the purpose of the variation is not based exclusively upon a desire for financial gain.
- D. That the variance will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

SECTION 53. REGISTRATION OF ORDINANCE AND PLATS.

53.01. NORTH CAROLINA GENERAL STATUTES.

In accordance with Article 160A-373 of the General Statutes of North Carolina, the Town shall file a copy of this Ordinance with the Register of Deeds of Caldwell County upon adoption.

53.02. REGISTER OF DEEDS.

The Register of Deeds shall not, after the effective date of this Ordinance, record a plat of a subdivision of land lying within the jurisdiction of this Ordinance that has not been approved in accordance with the provisions contained herein; nor shall the Clerk of Superior Court order or direct the recording of a plat if the recording would be in conflict with the provisions or intent of this Ordinance.

SECTION 54. AMENDMENTS.

The Town Council may from time to time amend the terms of this Ordinance, but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation. The Planning Board shall have thirty (30) 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.

SECTION 55. 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 imposes greater restrictions, the provisions of this Ordinance shall govern.

## ARTICLE VI

### DEFINITIONS

#### SECTION 60. SUBDIVISION.

For the purposes of this Ordinance, the term "subdivision" shall mean all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale, or building development (whether immediate or future) and shall include all division of land involving the dedication of a new street or a change in existing street, but the following shall not be included within this definition nor be subject to the regulations established herein (G.S. 160A-376):

#### "EXEMPTIONS"

- a. the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the Town as shown in its subdivisions regulations;
- b. the division of land into parcels greater than ten (10) 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;
- d. the division of a tract in single ownership whose entire area is no greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the Town, as shown in this Ordinance;

#### SECTION 61. MINOR SUBDIVISION.

For purposes of these regulations, a minor subdivision is defined as a subdivision:

- a. involving not more than five (5) 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 drainage easements through lots to serve property at the rear; and
- d. not adversely affecting the development of the remainder of the parcel or of adjoining property; and
- e. creating no new or residual parcels not conforming to the requirements of these regulations.

SECTION 62. ADDITIONAL DEFINITIONS.

For the purpose of this Ordinance, certain words or terms used herein shall be defined as follows:

ACCESS CORRIDORS. A fifteen (15) foot strip of land, that is part of the principal lot, lying between the side lot boundary lines of lake or river front lots offering access to lots at least one lot depth away from the water's edge. Access corridors shall not exceed four hundred (400) feet in length.

ACCESS STREETS. A platted street designed for the purpose of giving access to adjacent property owners.

ALLEY. A minor right-of-way privately or publicly owned, primarily for service access to the back or side of properties.

BUFFER. A buffer as required by certain sections of these Regulations shall be one of, or equal to one of the following:

- A six-foot high wood, basket weave type fence.
- A six-foot high solid picket type fence with the pickets being placed facing the adjoining property.
- A six-foot high chain link type fence with panel inserts.
- A six-foot high open type fence with evergreen vegetation planted facing the adjoining property and completely blocking the view from one area to another.
- A six-foot high solid masonry wall.

BUILDING. The word "building" includes the word "structures".

BUILDING SETBACK LINE. A line parallel to the front property line in front of which no structure shall be erected.

CLERK OF SUPERIOR COURT. Clerk of Superior Court of Caldwell County, North Carolina.

TOWN COUNCIL. The words "Town Council" shall mean the Town Council of Granite Falls, North Carolina.

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

DOUBLE FRONTAGE LOT. A continuous (through) lot which is accessible from both streets upon which it fronts.

EASEMENT. A grant by the property owner of a strip of land for a specified purpose and use by the

public, a corporation, or persons.

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. This word may also include the words "plot", "parcel", "tract", or "site".

LOT CORNER. A lot which occupies the interior angle at the intersection of two streets lines which make an angle of more than 45 degrees and less than 135 degrees with each other. The street line forming the least frontage shall be deemed the front of the lot except where the two street lines are equal, in which case the owner shall be required to specify which is the front when requesting a zoning compliance permit.

LOT FRONT. A portion of the lot adjacent to the street. In the case of lots which abut a stream, lake, or pond; the lot front is considered to be the part of the lot which abuts the water.

OFFICIAL MAPS OR PLANS. Any maps or plans endorsed by the Town Council as a guide to the development of Granite Falls.

ORDINANCE. The word "Ordinance" or "Regulation" shall mean the Subdivision Ordinance for Granite Falls, North Carolina.

PLANNED UNIT DEVELOPMENT. The planned unit development is a permitted use designed to provide for developments incorporating a single type or a variety of residential, commercial and their related uses which are planned and developed as a unit. Such development may consist of individual lots or common building sites. Common land must be an element of the plan related to effecting the long-term value of the entire development.

PLANNING BOARD. The words "Planning Board" shall mean the Planning Board of Granite Falls, North Carolina.

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

PRIVATE DRIVEWAY. A roadway serving two (2) or fewer lots, building sites, or other division of land and not intended to be public ingress or egress.

PRIVATE STREETS. A street intended to be for private ingress or egress, or to serve a large development under one ownership; such as in a large industrial park or with a planned unit development. Private streets planned for subdivisions must meet the same construction standards as public streets.

RECREATION AREA OR PARK. An area of land or combination of land and water resources that is developed for active and/or passive recreation pursuant with various manmade features that accommodate such activities.

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.

SINGLE-TIER LOT. A lot which backs upon a limited access highway, a railroad, a physical barrier, or another type of land use and to which access from the rear is usually prohibited.

STAFF PLANNER. The words "Staff Planner" shall mean the planner for Granite Falls, North Carolina, or his designated agent.

STREETS. A dedicated and accepted public right-of-way for vehicular traffic. The following classifications shall apply:

Arterials. Are the primary traffic arteries of the town. Their function is to move intra-city and intercity traffic. The streets which comprise the arterial or the thoroughfare system may also serve abutting property, however, their major function is to carry traffic. They should not be bordered by uncontrolled strip development because such development significantly lowers the capacity of the thoroughfare to carry traffic and each driveway is a danger and an impediment to traffic flow. Arterials may range from a two-lane street carrying minor traffic volumes to major expressways with four or more traffic lanes. Parking normally should not be permitted on arterials.

Major Collector Streets. These are important streets in the town system. They collect traffic from local access streets and carry it to the arterial system. They may in some instances supplement the arterial system by facilitating minor through traffic movements. A third function which may be performed is that of providing access to abutting property. They should be designed to serve limited areas so that their development as arterials will be prevented.

Local Streets. A street having the purpose of providing access to abutting residential, commercial or industrial traffic. These streets are not intended to carry heavy volumes of traffic and should be located in such a way to serve only traffic with origins or destinations on these streets. Typical local residential streets are designed as loops or cul-de-sacs.

Cul-de-sac. A short local street having but one end open to traffic and the other end being permanently terminated and a vehicular turnaround provided.

Marginal access street A minor street parallel and adjacent to an arterial or major thoroughfare or railroad which provides access to abutting properties, protection from through traffic and control of access to the major thoroughfare.

Alley A public or private vehicular way providing service access along rear or side property lines of lots which are also served by one (1) of the previously listed street types.

SUBDIVIDER. Any person, firm, or corporation who subdivides or develops any land deemed to be

a subdivision as herein defined.

SECTION 63. WORD INTERPRETATION.

For the purpose of this Ordinance, certain words shall be interpreted as follows:

The word "may" is permissive.

The words "shall" and "will" are mandatory.

The present tense includes the future tense and the future tense includes the present tense.

The singular includes the plural and the plural includes the singular.

ARTICLE VII

PROCEDURE FOR REVIEW AND APPROVAL OF SUBDIVISION PLATS

SECTION 70. GENERAL.

No final plat of a subdivision within the jurisdiction of Granite Falls as established in Article II of this Ordinance shall be recorded by the Register of Deeds of Caldwell County until it has been approved by the Town Council as provided herein. To secure such approval of a final plat, the subdivider shall generally follow the procedures established in this section.

SECTION 71. MINOR SUBDIVISION APPROVAL PROCESS.

If the land to be subdivided meets the requirements of a minor subdivision as defined in Article VI, Section 61, of this Ordinance, the subdivider will not have to follow the same procedures as for a general subdivision. The review process for minor subdivisions shall be adequate to protect the public interest, but should also provide minimum delay and expense to the subdivider. A preliminary plat is not required. The developer may go from a sketch plan to a final plat with the approval of the Staff Planner. However, the following minor plat approved process may be used only where the subdivision includes all contiguous land under the ownership of the sponsor.

71.01. SKETCH PLAN REQUIRED.

A preliminary plat shall not be required for approval for minor subdivisions. Instead, a sketch design plan shall first be submitted to the Staff Planner for approval and shall depict or contain the following information:

- A. A sketch vicinity map showing the location of the subdivision in relation to neighboring tracts, subdivisions, 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 the land within the subdivision and adjoining it;
- E. The proposed street and lot layout;
- F. The name, address, and telephone number of the owners;
- G. Street and lots of adjacent developed or platted properties;
- H. The zoning classification(s) of the tract and of adjacent properties.

71.02. REVIEW PROCEDURE.

The Staff Planner shall review the sketch design plan for general compliance with the requirements of this Ordinance and 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 the final plat.

71.03. APPROVAL OF SKETCH PLAT BY STAFF PLANNER.

The Staff Planner, after determining that all requirements of this Ordinance have been met on the sketch map, shall submit copies to the County Health Department, Erosion Control Section, Soil and Water Conservation District and Inspection Division for their comments and reports. The sketch plan shall be approved and the subdivider shall be advised that the final plat may be prepared as long as it conforms to the sketch plat. This review shall in no way be construed as constituting an official approval for recording.

71.04. DISPUTE OF FINDINGS OF STAFF PLANNER.

In the event that the subdivider disagrees with any findings of the Staff Planner concerning approval of a sketch plan of a minor subdivision, the matter shall be taken to the Planning Board for a decision. No final plat shall be prepared until the Planning Board has acted on the disputed sketch plan.

71.05. DISPOSITION OF COPIES.

Five (5) copies of the sketch plan shall be retained as part of the files of the Planning Board, with the original drawing being returned to the subdivider or his authorized agent.

71.06. FINAL PLAT APPROVAL OF MINOR SUBDIVISION.

In order not to cause any unnecessary expense to the developer and to the administrative departments of the Town, the Granite Falls Planning Board shall have the responsibility for approving minor subdivisions. A final plat shall be submitted to the Staff Planner at least twenty (20) days prior to the next regular meeting of the Planning Board. The final plat for minor subdivisions shall be complete and show all information required for a final plat for general subdivisions as prescribed by this Ordinance. The recording of a minor subdivision plat shall be the same as for a general subdivision as provided in this Ordinance. If a minor subdivision plat is disapproved, the Planning Board shall specify the reasons for such action in writing. One (1) copy of

such reasons shall be given to the subdivider. If a minor subdivision plat is disapproved, the subdivider may make the recommended changes as requested and submit a revised minor plat, or appeal the decision to the Town Council.

## SECTION 72. GENERAL SUBDIVISION APPROVAL PROCESS.

The following procedure shall be followed to obtain approval of all general subdivisions.

### 72.01 SKETCH DESIGN PLAN.

If the land to be subdivided contains more than ten (10) acres, the subdivider shall submit a sketch plan to the Staff Planner prior to submitting a preliminary plat. Small subdivisions may be submitted in sketch plan form if the developer wishes. Sketch plans shall conform to the following requirements:

### 72.02. NUMBER OF COPIES AND GRAPHIC MEDIA.

A minimum of two (2) copies of a sketch design plan shall be submitted. No specific graphic media must be employed.

### 72.03. SIZE OF PLAN AND SCALE.

No specific size requirements apply to a sketch design plan; it is suggested that the requirements applicable to preliminary and final plats be utilized.

### 72.04. ADMINISTRATIVE FEES.

No administrative fees are charged in connection with the submission of sketch design plans.

### 72.05. CERTIFICATION REQUIRED.

No certificates must be provided in connection with the submission of sketch design plans.

### 72.06. 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, subdivisions, 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 the land within the subdivision and adjoining it;
- E. The proposed street and lot layout;
- F. The name, address, and telephone number of the owners;

- G. Street and lots of adjacent developed or platted properties;
- H. The zoning classification(s) of the tract and of adjacent properties.

72.07. REVIEW PROCEDURE.

The Staff Planner shall review the sketch design plan for general compliance with the requirements of this Ordinance and any other applicable Ordinances and shall advise the subdivider or his authorized agent of the procedures to be followed in the preparation and submission of the preliminary and final plats. This review shall in no way be construed as constituting an official action of approval for recording of the subdivision by the Planning Board or the Town Council as required by this Ordinance.

72.08. DISPUTE OF FINDINGS OF THE PLANNING DIVISION.

In the event that the subdivider disagrees with any findings of the Staff Planner concerning approval of a sketch plan, the matter shall be taken to the Planning Board for a decision. No final plat shall be prepared until the Planning Board has acted on the disputed sketch plan.

72.09. DISPOSITION OF COPIES.

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

SECTION 73. PRELIMINARY PLAT.

After approval of the sketch plan, the preliminary plat can then be prepared and shall be submitted to the Planning Board at least twenty (20) days prior to a regular meeting of the Planning Board, for every subdivision of land which is located within the territorial jurisdiction established by Article III, Section 30, hereof unless it meets the requirements of a minor plat.

73.01. NUMBER OF COPIES AND GRAPHIC MEDIA.

Twelve (12) copies of the preliminary plat shall be submitted; no specific graphic media must be employed. Three (3) copies shall be disposed of as provided under Paragraph 73.07; nine (9) copies shall be distributed for review as provided in Paragraph 73.06.

73.02. SIZE OF PLAT AND SCALE.

No specific size requirements apply to preliminary plats. Preliminary plats shall be prepared at a scale of one (1) inch equals one hundred (100) feet, or greater. (Reference to Section 75.04.)

73.03. ADMINISTRATIVE FEES.

When submitting the preliminary plat, the subdivider shall pay a filing and inspection fee of fifty

cents (\$.50) per lot in the subdivision, or twenty-five dollars (\$25), whichever is greater, to the Town clerk of Granite Falls. The fee once paid will not be refundable.

#### 73.04. CERTIFICATIONS REQUIRED.

No certifications must be shown on the drawing in connection with the submission of preliminary plats. However, plans for proposed utilities shall be approved by appropriate Town, County and State agencies.

#### 73.05. CONTENTS REQUIRED.

The preliminary plat shall depict or contain the following information; plats not illustrating or containing the following data shall be returned by the Staff Planner to the subdivider or his authorized agent for completion and 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. Street line and grade profile;
- E. Scale denoted both graphically and numerically;
- F. North arrow and declination;
- G. The plans for sanitary sewers, storm drainage, water distribution lines, illustrating connections to existing systems. Utility plans must show line sizes, the location of fire hydrants, manholes, pumps and force mains,
- H. Utility layout calculations may be required, including storm sewer, sanitary sewer and water distribution;
- I. Proposed street names;
- J. Zoning Classification of proposed subdivision and adjacent property;
- K. Street design information including and horizontal curvatures;
- L. Proposed location and size of parks, school sites, or other recreational or open spaces, if any, and their future ownership (dedication for public use to governmental body, for owners to duly constituted homeowners or community association, or for tenants, but remaining in subdivider's ownership);
- M. 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,
  - 5. delineate drainage area onsite and offsite.
- N. Proposed minimum building setback lines;
- O. The names of owners of adjoining properties and any adjoining subdivisions of record (or proposed and under review);

- P. Any proposed riding trails, natural buffers, pedestrian, bicycle or other rights-of-way, utility or other easements, their location, width, and purposes;
- Q. Proposed streets, existing and platted streets on adjoining properties and in the proposed subdivision, rights-of-way, pavement widths, grades, 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.
- R. 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;
- S. Proposed lot lines, marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds, and any other natural features affecting the site;
- T. Wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds, and any other natural features affecting the site;
- U. The preliminary plat shall be accompanied by a copy of any proposed deed restrictions or similar covenants (mandatory when private recreation areas are established).

#### 73.06. REVIEW PROCEDURE.

First considerations shall be at the next regularly scheduled meeting of the Planning Board that follows at least twenty (20) days after the plat is submitted. Before taking action on the plat, the Staff Planner shall refer copies of the plat and any accompanying material of those public officials and agencies concerned with new development, including but not limited to the County Health Director, the District Engineer of the North Carolina Department of Transportation, and the County Soil Conservation Service.

#### 73.07. DISPOSITION OF COPIES.

If the plat is approved, approval shall be noted on at least three (3) copies of the plat by the Staff Planner who shall retain one (1) copy for public examination, one (1) copy shall be returned to the subdivider, and one (1) copy shall be retained for the Planning Board files.

If the preliminary plat is disapproved, the Planning Board shall specify the reasons for such action in writing. One (1) copy of such reasons shall be retained by the Staff Planner and one (1) copy shall be given to the subdivider. If the preliminary plat is disapproved, the subdivider may make the recommended changes and submit a revised preliminary plat, or appeal the decision to Town Council.

### SECTION 74. FINAL PLAT APPROVAL PROCESS.

#### 74.01. IMPROVEMENTS INSTALLATION.

Upon the approval of the preliminary plat by the Planning 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 or guarantees in lieu of improvements, as specified in this Ordinance.

74.02. PERFORMANCE GUARANTEES.

In lieu of prior construction of the improvements required by this Ordinance, the Town Manager 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 the subdivider's expense, provided the guarantee is acceptable to the Town Attorney. Such guarantee shall be in accordance with the Granite Falls Subdivision Policies concerning Performance Guarantees. Such guarantee shall be in an amount of not less than one hundred percent (100%) of the estimated cost of the construction of the required improvements. This amount shall be determined by the Town Engineer.

Performance guarantees shall run for a period of one (1) year and may be renewed once for a period one (1) year upon written approval from the Town Manager.

74.03. DEFECTS GUARANTEE.

The Planning Board and Town Council shall require a letter guaranteeing utility taps, curbs, gutters, street pavement, sidewalks if used, drainage facilities, water and sewer lines, and other improvements against defects for one (1) year after the final plat is recorded with the register of deeds. The Town reserves the right to extend the guarantee if defects are found after the one (1) year not to exceed five (5) years.

74.04. MAINTENANCE GUARANTEE.

The Town will assume responsibility of the project after improvements are completed to plan specifications and approved by the Town Council.

74.05. FINAL PLAT REVIEW CONTINGENT UPON EXECUTION OF GUARANTEES.

No final plat will be accepted for review by the Planning Board or Town Council unless accompanied by written notice by the Staff Planner acknowledging compliance with this Ordinance requiring guarantees in lieu of improvements, and the required maintenance letters.

74.06. FINAL PLAT CONTINGENT ON SUBMISSION OF "AS BUILT PLANS."

A set of "As Built Plans," including water, sewer and storm drainage, shall be signed and sealed by a licensed engineer and submitted to and approved by the town public works director before the final plat can be approved.

SECTION 75. THE FINAL PLAT.

The final plat shall 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.

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 subsection 74.02 of this Ordinance).

#### 75.01 PLAT SUBMITTED.

The subdivider shall submit twelve (12) copies of the final plat, so marked, to the Staff Planner not less than twenty (20) days prior to the Planning Board meeting, at which time 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 a written extension of this time limit may be granted by the Planning Board on or before the one-year anniversary of the approval.

#### 75.02. PLAT PREPARED.

The final plat shall be prepared by a licensed surveyor 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 provisions of Section 47-30 of the General Statutes of North Carolina.

#### 75.03 NUMBER OF COPIES AND GRAPHIC MEDIA.

Twelve (12) copies of the final plat shall be submitted not less than twenty (20) days prior to the Planning Board meeting; one (1) additional copy shall be drawn in ink or linen or film suitable for reproduction; and shall bear all the required certifications set forth in Section 75.05 of this Ordinance. The reproducible drawing shall be given to the Staff Planner not later than the date of the Planning Board meeting in which approval is requested.

#### 75.04. SIZE OF PLAT AND SCALE.

Final plats shall have an outside marginal size of not more than eighteen (18) inches by twenty-four (24) inches nor less than eight and one-half (8-1/2) inches by eleven (11) inches, including one and one-half (1-1/2) inch border for binding on the left margin and one-half (1/2) inch border on each of the other sides. Where size of land areas or suitable scale to assure legibility require, maps may be placed on two (2) or more sheets with appropriate match lines. Final plats shall be drawn at a scale of one (1) inch equals one hundred (100) feet, or greater.

#### 75.05. CERTIFICATION REQUIRED.

The following signed and notarized certificates shall appear on the reproducible copy of the final plat which is submitted to the Planning Board by the subdivider:

A. CERTIFICATION OF OWNERSHIP AND DEDICATION

I hereby certify that I am/we are the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of Granite Falls and that I/we hereby adopt this plan of subdivision setback lines, and dedicate all sanitary sewer, water lines, electrical lines serviced by the Granite Falls Electrical Department and streets to Granite Falls.

\_\_\_\_\_

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

\_\_\_\_\_  
Date

(Notary Statement)

B. SEPTIC TANK / WATER SOURCE STATEMENT

Before any lot can be built upon, an improvement permit must be obtained from the Caldwell County Health Department to allow a septic tank disposal system and an approved water source to located thereon. Neither the approval of the Town of Granite Falls nor the recordation of this plat in any way guarantees that any lot shown hereon can or will be permitted for a septic tank or an approved water source.

\_\_\_\_\_

\_\_\_\_\_  
Caldwell County Health Officer or their Authorized  
Representative

(Certification not required for subdivisions which are connected, or will be connected, to existing publicly owned and operated water supply and sewage disposal systems.)

C.

CERTIFICATE OF SURVEY AND ACCURACY

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

\_\_\_\_\_  
Registered Surveyor

\_\_\_\_\_  
License or Registration Number

D. CERTIFICATE OR APPROVAL OF THE DESIGN AND  
INSTALLATION OF UTILITIES, AND OTHER REQUIRED IMPROVEMENTS

I hereby certify that all required improvements have been installed in an acceptable manner and according to the Granite Falls specifications and standards in the \_\_\_\_\_ Subdivision or that guarantees of the installation of the required improvements in an amount and manner satisfactory to Granite Falls has been received, and that the filing fee for this plat, in the amount of \$ \_\_\_\_\_ has been paid.

\_\_\_\_\_  
Granite Falls Town Manager

Certificate of Approval of the design and installation of public streets:

E. DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
SUBDIVISION ROAD CONSTRUCTION STANDARDS CERTIFICATION

APPROVED: \_\_\_\_\_  
District Engineer

DATE: \_\_\_\_\_

Disclosure Statement for the Responsibility for Constructing and Maintaining Private Streets.  
This statement shall be placed on the final plat and deed and signed by the subdivider or agent before final approval can be granted.

All roads in this subdivision are hereby declared private and shall not be maintained by the North Carolina Department of Transportation or the Town of Granite Falls. The maintenance of all streets and roads on this subdivision shall be the responsibility of \_\_\_\_\_ and, it shall be the responsibility of \_\_\_\_\_ to bring the roads up to the standards of the North Carolina Department of Transportation Secondary Roads Council and the Town of Granite Falls before any private streets or roads on this plat are included, at any time after the approval of this plat, into the North Carolina State Maintained Road System or the Town of Granite Falls Street System.

\_\_\_\_\_  
Subdivider or Agent

#### 75.06. CONTENTS REQUIRED.

The final plat shall depict or contain the following information. Plats not illustrating or containing the following data shall be returned by the Staff Planner to the subdivider or his authorized agent for completion and resubmission.

- A. The name of the subdivision;
- B. The exact boundary lines of the tract to be subdivided fully dimensioned by lengths and bearings, and the location of intersecting boundary lines of adjoining lines;
- C. Scale denoted both graphically and numerically;
- D. Street names;
- E. The location, purpose and dimensions of areas to be used for purposes other than residential;
- F. The names of owners of adjoining properties and any adjoining subdivisions of record (or proposed and under review);
- G. The location and dimensions of all rights-of-way, utility or other easements, riding trails, natural buffers, pedestrian or bicycle paths, and areas to be dedicated to public use with the purpose of each stated;
- H. Right-of-way lines and pavement widths of all streets and the location and width of all adjacent streets and easements;
- I. Property lines, buildings or other structures, water courses, railroads, bridges, culverts, storm drains, and both on the land to be subdivided and on the land immediately adjoining;
- J. Sufficient surveying data to determine readily and reproduce on the ground every straight or curved boundary line, street line, lot line, right-of-way line, easement line, and setback line; including dimensions, bearings, or deflection angles, radii, central angles, and tangent distances for the center line of curbed streets and curbed property lines that are not the

boundary of curbed streets if installed. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to be nearest minute. Street design information including vertical curvatures;

- K. The accurate locations and descriptions of all monuments, markers, and control points;
- L. The blocks lots numbered consecutively throughout the entire subdivision
- M. The deed restrictions or any other similar covenants proposed for the subdivision, if any (mandatory when private recreation);
- N. The date of the survey and plat preparation;
- O. North arrow and declination;
- P. All certifications as required by Article VII, Section 75.05;
- Q. The name(s), address(es), and telephone number(s) of the owner(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).
- R. Any other information considered by either the subdivider or the Planning Board to be pertinent to the review of the final plat.
- S. The plans for proposed sediment control programs. Plans for water supply and/or sewage disposal, and sediment control must receive approval by the appropriate County and State authorities, including the Caldwell County Health Department, the Office of Water and Air Resources, of the North Carolina Department of Natural Resources and Community Development. Utility plans must show blow-offs, and gate valves, and shall include profiles based upon Mean Sea Level datum for sanitary sewers and storm sewers; these plans may be submitted separate from the final plat but are due on the same date as the final plat.

#### SECTION 76. REVIEW PROCEDURE.

Final plats shall be reviewed according to the following procedure:

##### 76.01. PLANNING BOARD REVIEW.

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

During its review of the final plat, the Planning Board may appoint any engineer or surveyor to confirm the accuracy of the final plat. If substantial errors are found, the costs shall be charged to the subdivider and the plat shall not be approved until such errors have been corrected.

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 Granite Falls Planning Board hereby approves the final plat for the \_\_\_\_\_  
Subdivision.

\_\_\_\_\_  
Date  
Chairman or Agent, Granite Falls  
Planning Board

If the Planning Board disapproved the final plat, the Staff Planner shall state in writing its reason 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. 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.

If the Planning Board fails to approve or disapprove the final plat within forty-five (45) days after the submission date, as previously defined in Paragraph 76.01, such failure shall be deemed to be approval and shall constitute grounds for the subdivider to apply for final approval by Town Council.

76.02. TOWN COUNCIL REVIEW.

The Town Council shall review the final plat with the requirements of the Planning Board and shall approve or disapprove the plat at their next regularly scheduled meeting.

If the Town Council approves the final plat, such approval shall be shown on each copy of the plat by the following signed certificate:

76.03. CERTIFICATE OF APPROVAL FOR RECORDING.

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Ordinance for Granite Falls, North Carolina, and that this plat has been approved by the Town Council for recording in the office of the Register of Deeds of Caldwell County.

\_\_\_\_\_  
Date  
Clerk  
\_\_\_\_\_  
Mayor

If the final plat is disapproved by the Town Council, 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 Council as a part of its proceedings, one (1) copy shall be transmitted to the Staff Planner, 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.

#### 76.04. DISPOSITION OF COPIES.

If the final plat is approved by the Town Council, two (2) copies of the plat shall be returned to the subdivider. The reproducible tracing and two (2) prints shall be filed with the Register of Deeds. One (1) print shall be retained by the Planning Board.

#### 76.05. RECORDING OF THE FINAL PLAT.

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

#### 76.06. RESUBDIVISION PROCEDURES.

For any replatting or resubdivision 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, provided 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 parts; and (F) the character of the area shall be maintained.

### ARTICLE VIII

#### INSTALLATION OF PERMANENT REFERENCE

#### POINTS AND IMPROVEMENTS

#### SECTION 80. PERMANENT REFERENCE POINTS.

Prior to the approval of the final plat, permanent reference points shall have been placed in accordance with the following requirements:

A. SUBDIVISION CORNER TIE: At least one corner of the subdivision shall be designated by

course and distance (tie) from a readily discernible reference marker. If a corner is within two thousand (2,000) feet of a U.S. Coast and Geodetic Station or N.C. Grid System coordinated monument, or Town of Granite Falls coordinated system, then this corner shall be marked with a Monument so designated by computed X and Y coordinates which shall appear on the map with a statement identifying this Station or Monument to an accuracy of 1:10000. When such a Monument or Station is not available, the tie shall be made to some pertinent and physical object or structure that could not be destroyed.

- B. MONUMENTS: Within each block of a subdivision, at least two (2) Monuments designed and designated as Control Corners shall be installed. The Surveyor shall employ additional Monuments if and when required. All Monuments shall be constructed of concrete and shall be at least four (4) inches in diameter or square and not less than three (3) feet in length. Each Monument shall have imbedded in its top or attached by a suitable means, a metal plate of noncorrosive material and marked plainly with the point, the surveyor's registration number, the month and the year it was installed, and the word "Monument" or "Control Corner". Monuments shall be set at least thirty (30) inches in the ground with at least six (6) inches exposed above the ground unless this requirement is impractical.
- C. PROPERTY MARKERS: A steel or wrought iron pipe or the equivalent not less than three-fourths (3/4) inches in diameter and at least thirty (30) inches in length shall be set at all corners, except those located by Monuments. A Marker shall also be set at a point of curve, point of intersection, property corner, point of tangency and reference point unless a Monument is placed at said points. Additional markers shall be placed where necessary.

#### 80.01. PRIVATE UTILITIES.

Non-municipal water supply systems serving ten (10) or more connections are classified as public water supplies by State law, and plans and specifications must be approved by the Sanitary Engineering Division of the State Board of Health.

- Plans and specifications for water supply systems serving from two (2) to nine (9) connections, inclusive, must be approved by the County Health Department.
- Plans for non-municipal public and community sewer systems must be approved by the Division of Stream Sanitation and Hydrology of the North Carolina Department of Water and Air Resources.
- Individual water supplies should be located, constructed and operated in accordance with State Board of Health Bulletin No. 476, "Protection of Private Water Supplies".
- Individual sewage disposal systems must be installed and maintained in accordance with the State Board of Health "Rules and Regulations Governing the Disposal of Sewage from Any Residence, Place of Business or Place of Public Assembly in North Carolina" and the

regulations of the Caldwell County Health Department. State Board of Health Bulletin No. 519 "Residential Sewage Disposal Plants" contains helpful information.

#### 80.02. PUBLIC SITES AND OPEN SPACES.

In subdividing property, due consideration should be given by the subdivider and the Planning Board to the designation of suitable sites for parks, schools, and other uses. Such provision should be indicated on the sketch plan in order that it may be determined when and in what manner such areas will be required.

#### 80.03. ACCESS TO PARKS, SCHOOLS, ETC.

Streets shall be designed or walkways dedicated to assure convenient access to adjacent parks, playgrounds, schools and other places of public assembly. Dedicated walkways shall not be less than ten (10) feet in width.

#### 80.04. RESTRICTIONS ON THE SUBDIVISION FOR RESIDENTIAL PURPOSES OF LAND SUBJECT TO FLOODING.

Lots that are subject to flooding shall not be established in subdivisions for the purpose of creating residential building sites except as herein provided. These areas can be obtained from the Town of Granite Falls, the Federal Emergency Management Agency, Caldwell County Health Department, U.S. Army Corps of Engineers, the Soil and Water Conservation District (SWCD), or the U.S. Geological Survey. Where the developer proposes to provide a levee or raise the floor elevations above the flood level, an engineering report shall accompany the subdivision application.

- A. If there is any water course of any type running through or within one hundred and fifty (150) feet of the property proposed for subdividing, the prospective subdivider shall furnish reasonable evidence to the Planning Board that residential lots within the subdivision will not be flooded.
- B. No proposed residential building lot shown that is wholly subject to flooding shall be approved.

#### SECTION 81. DESIGN STANDARDS AND REQUIRED IMPROVEMENTS.

Street requirements for subdivisions shall meet the current Minimum Construction Standards of the North Carolina Department of Transportation, Division of Highways. Pavement thickness and pavement and right-of-way widths are setforth in 91.01.

## ARTICLE IX

### GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

#### SECTION 90. GENERAL REQUIREMENTS.

##### 90.01. CONFORMITY TO EXISTING MAPS OR PLANS.

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

##### 90.02. CONTINUATION OF EXISTING ROADS.

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

##### 90.03. ACCESS TO ADJACENT PROPERTIES.

Where, in the opinion of the Planning Board, it is desirable to provide access to an adjoining property, proposed roads shall be extended by dedication to the boundary of such property and a temporary turnaround shall be provided.

##### 90.04 PRIVATE STREETS.

Private streets may be allowed, provided they meet the same criteria for public streets.

##### 90.05. RESERVE STRIPS.

There shall be no reserve strips platted in any subdivision unless the developer can show good cause for such to the Planning Board.

##### 90.06. LARGE TRACTS AND PARCELS.

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

##### 90.07. LOTS.

All lots shall front upon a public or private street.

##### 90.08. ALLEYS.

Alleys may be required at the rear of all lots used for other than residential purposes. Alleys are

prohibited in residential blocks unless such are approved by the Planning Board. All dead end alleys shall be provided with a turnaround.

90.09. CONTOUR MAP.

A contour map shall be provided if requested by the Staff Planner. The contour interval required will depend upon topographic and drainage characteristics and shall be specified by the Town Engineer.

90.10. STREET NAMES.

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.

SECTION 91. DESIGN STANDARDS.

The following design standards shall be considered minimum requirements:

91.01. STREETS.

The design standards which shall apply to streets are as follows:

A. RIGHTS-OF-WAY WIDTHS. Minimum street right-of-way widths shall be in accordance with the major street plan and shall be not less than the following:

- |   |          |
|---|----------|
| 1. Major Arterials  | 90 feet  |
| 2. Collector Streets  | 60 feet  |
| 3. Local or Minor (Residential) Streets (without curb and gutter)   | 50 feet  |
| (with standard curb and gutter or valley gutter)  | 45 feet  |
| (with standard curb and gutter or valley gutter and serving 10 lots or less with no future expansion, for dead end streets) | 40 feet  |
| 4. Marginal Access Streets  | 50 feet  |
| 5. Cul-de-sacs (Turnarounds)  | 100 feet |
| 6. Alleys   | 20 feet  |
| 7. Commercial and Industrial  | 60 feet  |

B. PAVEMENT WIDTHS. (With Standard Curb and Gutter) Pavement widths shall be not less than the following:

- |   |         |
|---|---------|
| 1. Major Arterials                      | 44 feet |
| 2. Collector Streets                    | 32 feet |
| 3. Local or Minor (Residential) Streets | 22 feet |

- |   |         |
|---|---------|
| (serving 10 lots or less with no future plans for expansion,<br>for dead end streets) | 20 feet |
| 4. Marginal Access Streets  | 24 feet |
| 5. Cul-de-sacs (Turnarounds)  | 80 feet |
| 6. Alleys   | 15 feet |
| 7. Commercial and Industrial  | 24 feet |

C. PAVEMENT WIDTHS. (With Valley Gutter) Pavement widths shall be not less than the following:

- |  |                              |
|--|------------------------------|
| 1. Local or Minor (Residential) Streets<br>(serving 10 lots or less with no future plans for expansion,<br>for dead end streets) | 22 feet (20 feet)<br>20 feet |
| 2. Marginal Access Streets   | 24 feet                      |
| 3. Cul-de-sacs (Turnarounds)   | 80 feet                      |
| 4. Alley   | 15 feet                      |

Note: Pavement width does not include width of curb and gutter.  
Standard curb and gutter shall be used for a minimum of ten (10) feet in front of fire hydrants

D. PAVEMENT THICKNESS. Pavement thickness shall be a minimum of two (2) inches. (Pavement thickness shall be a minimum of an inch and one half (1 1/2) if curb and gutter is required).

E. GRADES. Street grades shall be as follows:

1. Street grades shall be not more than twelve percent (12%) nor less than one-half of one percent (.5%).
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.

F. HORIZONTAL CURVES. Where a centerline deflection angle of more than ten degrees (10) occurs, a circular curve shall be introduced, having a centerline radius of not less than the following:

- |                      |          |
|----------------------|----------|
| 1. Major Arterials   | 300 feet |
| 2. Collector Streets | 230 feet |
| 3. Minor Streets     | 150 feet |

G. VERTICAL CURVES. All vertical curves shall have such length as necessary to provide safe sight distance.

H. TANGENTS. A tangent of not less than one hundred (100) feet in length shall be provided between curves.

I. INTERSECTIONS. Streets 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 seventy-five (75 ) degrees.
2. Streets jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be avoided.
3. Intersections with a major street or highway shall be at least eight hundred (800) feet apart. This requirement can be waived by the Planning Board if such requirement would prevent a property owner fronting on a major street or thoroughfare from having access to such a facility.
4. The dedication of half streets at the perimeter of a new subdivision is prohibited. If circumstances render this impractical, adequate provision for the concurrent dedication of the remaining half of the street must be furnished by the subdivider. Where there exists a half street in an adjoining subdivision, the remaining half shall be provided by the proposed development.

J. ALLEYS. All alleys shall be constructed in accordance with Town specifications and standards and shall meet the following requirements:

- |    |  |         |
|----|--|---------|
| 1. | Right-of-way width   | 20 feet |
| 2. | Minimum centerline radius when a deflection angle of more than 10 degrees (10 ) occurs | 35 feet |
| 3. | Property line radius at alley intersections  | 15 feet |

SECTION 92. LOT DESIGNS.

92.01. LOTS.

The size, shape, and orientation of lots shall reflect due consideration for topography and drainage. Lots shall conform to the requirements of this Ordinance and, in addition, shall conform to the following provisions.

92.02. ARRANGEMENT.

Every lot must front for at least thirty-five (35) feet on a public street. Insofar as practical, side lot lines shall be at right angles to straight lines or radial to curbed street lines.

92.03. LAKE FRONTAGE LOTS.

Lake frontage lots shall have a minimum width of one hundred (100) feet at the front building

line. All other lots within four hundred and sixty (460) feet of the official pond level of the lakes within Caldwell County shall have minimum width of one hundred (100) feet at the front building line.

#### 92.04 AREA

All minimum lot sizes shall be determined by the overlying zoning district when served by a public water supply and municipal sewer service. Additional lot area is required when:

- A. A lot is located within five hundred (500) feet of the full pool elevation of any impounded municipal water source, the minimum lot size will be based on the following, or when in conflict with a minimum stated within the zoning ordinance, the stricter regulation shall govern:
  - a) Forty thousand (40,000) square feet average or 12% impervious coverage when served by municipal water and on-site septic system.
  - b) Sixty thousand (60,000) square feet average or 9% impervious coverage when served by a well and on-site septic system.
  - Any given lot within this specific area may be reduced by no more than ten (10%) percent, however the average of all lots governed by the above criteria must meet the above applicable minimum standard.
- B. The Caldwell County Health Department determines that a greater area is needed for adequate percolation of the on-site septic system due to topographical, soil, or subsoil conditions of the site. Minimum lot area to be determined by County Health Department, but not less than any specified minimum stated above in Section 92.04.
- C. Lots served by a on-site septic system and located on a watershed of a Class I or II reservoir or on the watershed of a portion of Class A-II stream extended from a Class I reservoir to a downstream intake to a water purification plant shall contain at least forty thousand (40,000) square feet of area suitable for a on-site septic system location and operation. The location and extent of these watersheds is determined by the North Carolina Department of Environmental Health

#### 92.05. WIDTH.

All lots shall have a minimum width at the building line of one hundred (100), eighty (80) feet with a minimum mean lot width of one hundred (100) feet in all residential districts except for R-8 and R-8A which will be eighty (80) feet and a minimum width at the street line of thirty-five (35) feet. Lake or river front lots located on the circle of a cul-de-sac, shall have a minimum lot width of fifteen (15) feet at the street line (see access corridors). Corner lots shall have an extra width of five (5) feet to permit adequate setback from side streets.

92.07. ORIENTATION OF LOT LINES.

Side lot lines shall be substantially at right angles or radial to street lines.

92.08. BUILDING SETBACK LINES.

The minimum setback for all new subdivisions from property lines shall be as follows:

- |    |   |         |
|----|---|---------|
| A. | Distance from front property line to a principal minor arterial, and major collector street | 50 feet |
| B. | Distance from front property line on all other streets                                      | 35 feet |
| C. | Distance from side property line  | 15 feet |
| D. | Distance from side property line abutting a street  | 30 feet |
|    |   | 20 feet |
| E. | Distance from rear property line  | 25 feet |
| F. | Distance (horizontal) from the ordinary high water line of a stream river or lake           | 40 feet |

92.09. EASEMENTS.

Utility and other easements shall be provided as follows:

- A. Utility and drainage easements centered on rear or side lot lines shall be provided where necessary and shall be at least ten (10) feet in width; or width if required for the installation and maintenance of the facility.
- B. Crosswalk easements of ten (10) feet in width shall be provided when such area is required by the Planning Board.
- C. 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 purposes. Parallel streets or parkways may be required in connection therewith.

92.10. BUFFER STRIPS.

It is required that a buffer be provided adjacent to a railroad, a limited access highway, and commercial or industrial developments.

## SECTION 93. DRAINAGE AND STORM WATER MANAGEMENT

### 93.1. DRAINAGE AND STORM WATER MANAGEMENT REQUIRED.

- A. In order to reduce drainage related damage and hazards, adequate natural drainage systems or storm water management installations are required to collect and transmit excess storm water flows into either existing Town drainage facilities or a natural drainage system.

The specific objectives of this requirement include but are not limited to:

1. The prevention and abatement of flooding and runoff related property damage, nuisances and hazards;
  2. The prevention of stream bank and channel degradation by accelerated erosion caused by increased velocity of runoff; and
  3. The reduction of water quality degradation caused by erosion, sedimentation, and non-point source pollution.
- B. Site plans submitted for issuance of zoning permits and final plats submitted for subdivision approval shall include detailed plans, specifications and supporting calculations for the construction of storm water management installations. The design of drainage facilities shall be in accordance with Section 93.2, Drainage and Storm Water Management Design Standards.
- C. Storm water management facilities shall be constructed in accordance with approved plans and maintained in proper working condition. Inspections which may be performed by the Town of Granite Falls during construction will not relieve the developer of his responsibility to install drainage facilities in accordance with the approved site plan. Revisions which affect the intent of the design or the capacity of the system shall require prior written approval by the Town.

### 93.2 DRAINAGE AND STORM WATER MANAGEMENT DESIGN STANDARDS.

These standards are established for the purpose of promoting sound development practices which respect, preserve and enhance the Towns watercourses and are not intended to prohibit the use of innovative and alternative techniques which can be demonstrated to have the potential for successfully achieving the objectives stated in Section 93.1.

- A. General:
1. To the extent practicable, all development shall conform to the natural contours of the land and pre-existing man-made and natural drainage ways

shall remain undisturbed.

2. To the extent practicable, all storm water management installations shall be designed, constructed and maintained so as to:
  - a. Avoid increases in surface runoff volume and velocity by including measures which promote the infiltration of storm water
  - b. Maximize the time of concentration of storm water runoff; and
  - c. Promote the filtration and precipitation of pollutants from water runoff in order to protect the water quality of the receiving stream.

B. Design Storm:

1. The minimum design capacity for all storm drainage facilities shall be the 10-year discharge. The design capacity for cross-drainage facilities in public streets shall be the 25-year discharge.
2. The design of drainage facilities in flood hazard areas shall be consistent with Article 1 of the Granite Falls Flood Damage Prevention Ordinance.
3. The computation of storm water runoff shall follow established engineering practice. Acceptable methods of computation include, but are not limited to, those outlined in the Soil Conservation Service National Engineering Field Manual, the Rational Method, and published U.S. Geological Survey techniques for estimating stream flow. Runoff coefficients shall be based on full development of the watershed to the extent of the current zoning.

C. Storm drainage facilities shall be designed, constructed, and maintained to create no unreasonable burden on adjacent properties:

1. Storm drainage facilities shall not impede the passage of storm water from upstream properties.
2. Storm drainage facilities shall not result in increased downstream channel degradation by accelerated erosion from increased velocity of runoff. Acceptable management measures are outlined in the NC Sedimentation and Pollution Control Act of 1973 as amended.
3. The Town reserves the right to require the extension of drainage pipe as necessary to protect adjacent properties.

D. Storm water shall not be diverted from one natural drainage basin into another.

- E. Storm water shall not be channeled or directed into sanitary sewers.
- F. Pipe culverts shall be constructed of either reinforced concrete, corrugated steel, aluminized or plastic pipe in conformance with N.C. Department of Transportation Standards Specifications:
  - 1. Corrugated steel pipe shall be fully bituminous coated. In lieu of fully bituminous coated galvanized pipe, aluminized pipe without a bituminous coating may be used. Pipe which carries active stream flow shall be fully coated and partially paved (paved invert). In lieu of fully bituminous coated partially paved galvanized pipe, aluminized pipe which has been half bituminous coated and partially paved may be used. Plastic pipe material shall be high density polyethylene meeting the requirements of ASTM D3350 and ASTM D1248. Pipe performance shall meet the requirements of AASHTO M294 type S. Gaskets shall meet the requirements of ASTM F477. Pipe shall be installed in accordance with ASTM D2321 with one (1) foot minimum cover. Connecting bands for all pipes shall conform to N.C. Department of Transportation Standards Specifications.
  - 2. Minimum pipe diameter shall be 18 inches for open-ended culverts and 15 inches for closed systems and driveway culverts.
  - 3. Depth of cover shall be appropriate for the pipe material and thickness and the anticipated loading. Minimum depth of cover shall be 12 inches.
  - 4. No down-sizing of culverts is allowed within pipe systems.
  - 5. Storm drainage piping shall be placed in a straight alignment at uniform grade. No changes in alignment shall be allowed except at catch basins, manholes, or other junctions with clean-out access provided.
  - 6. Storm drainage structures, including inlet grates and frames shall conform to N.C. Department of Transportation Standard Specifications.
- G. Hydraulic Design:
  - 1. Design capacity headwater elevations for open-ended culverts shall be below the roadway shoulder or finished site grade elevation.
  - 2. Design capacity headwater elevations for closed pipe systems shall be at or below the inlet grate elevation.
  - 3. The hydraulic design of culverts and pipes systems shall take into account the effect of tail water and shall allow for all energy losses within the system.

- H. End Treatments:
1. Headwalls, flared and sections, or adequate slope protection shall be provided at culvert ends.
  2. Storm drain outlets shall be protected against erosion by providing energy dissipators and/or adequate channel lining.
- I. Open Channels and Ditches:
1. Design capacities for open channels and ditches shall be determined by the Manning Equation. The value of the roughness coefficient shall be appropriate for the material encountered and the condition of the channel.
  2. All ditch bottoms and side slopes shall be stabilized with pavement, stone, or vegetative linings adequate to withstand design velocities. Stone rubble linings shall be placed on filters of washed gravel or geotextile fabric.
- J. N.C. Department of Transportation Standards concrete curb or combination curb and gutter is required for the direction and control of storm water in all parking lots. Alternate effective control measures which are consistent with the objectives of Paragraph 93.2 (A)(2) will be considered for approval on a case by case basis.
- K. No building construction shall be allowed within ten (10) feet horizontally of the centerline of drainage culverts less than 48 inches in diameter, or within ten (10) feet plus one-half the culvert diameter of the centerline of restriction shall not apply to building roof or foundation drains or incidental yard drains which originate closer than (10) feet to the building and convey storm water immediately away from the building.
- L. Culverts or pipe systems which convey storm water to or from existing enclosed drainage facilities shall be connected to the existing facility with an enclosed junction. Connections to existing facilities in public rights-of-way shall require the execution of an encroachment agreement with the Town of Granite Falls for Town streets or with the N.C. Department of Transportation for state-maintained roads.
- M. Where impoundment or detention facilities are included in the design of storm water management installations, every effort shall be made to minimize the degree of maintenance required to ensure the continuing effectiveness of the facility.
1. Maintenance of storm water impoundment or detention facilities shall be the responsibility of the property owner.
  2. Where impoundment or detention facilities are to be located in common

areas, the developer shall record with the Caldwell County of Deeds an establishment of a property owners association for the purpose of assessing dues for maintenance of the facilities by purchasers of property which will be served by the facilities within the development . The developer shall maintain these facilities until such time that the property owners association assumes maintenance.

- N. Culvert pipes, catch basins and headwalls may be required at the direction of the town engineer and/or the public works director where they are deemed necessary for proper drainage and to protect adjacent properties.