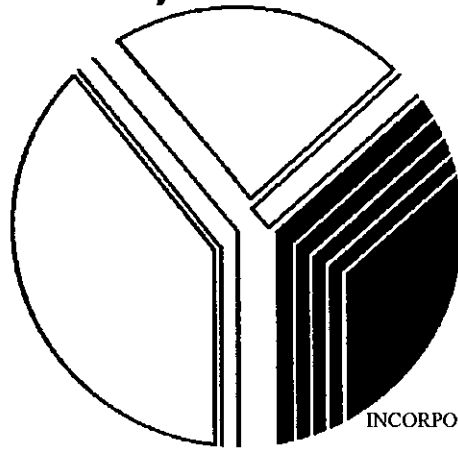


Subdivision Ordinance
Town of Yanceyville



INCORPORATED
1986

Adopted by the Town Council
April 2002

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A Word to the Developer

Any property owner, real estate agent, or builder who anticipates subdividing land in Yanceyville should become familiar with these regulations. They have been designed and drawn up to achieve equal, impartial treatment for all, and to provide clear-cut procedures for the preparation, submission, and review or approval of subdivision plans. The Planning Board encourages any and all developers to retain a qualified technician such as a land planner, landscape architect, engineer, surveyor, etc., to prepare the plan. This recommendation is made by the Board because it is important that a person subdividing land possesses the necessary skill and imagination to produce the best design under given conditions.

To Avoid Delays

- To avoid delays, consult the Yanceyville town staff before proceeding with subdivision plans.
- Make sure that the design of the subdivision meets the minimum standards of design.
- Submit all items as required when presenting a preliminary plat or a final plat for review or approval. Submit plans to the Yanceyville Planning Board.
- Submit plans no later than the prescribed date if consideration of the plans is expected at the next regularly scheduled meeting of the Planning Board.

**Yanceyville Subdivision Ordinance
Yanceyville, North Carolina**

An ordinance establishing procedures and standards for the development and subdivision of real estate and for the surveying and platting thereof, requiring the installation of certain improvements; providing for the method of administration and amendment; defining certain terms used herein; providing penalties for violation; repealing conflicting ordinances and for other purposes.

Article I Short Title

This ordinance shall be known and may be cited as the Subdivision Ordinance of the Town of Yanceyville, North Carolina.

Article II Authority and Enactment Clause

The Town Council of the Town of Yanceyville pursuant to the authority conferred by an act of the General Assembly of the State of North Carolina (General Statutes, Chapter 160A, Article 19, Part 2) does hereby ordain and enact into law the following Article and Sections.

Article III Jurisdiction

These regulations shall govern all subdivision of land, excepting those platted and recorded before the effective date of this Ordinance, within the corporate limits and the extraterritorial jurisdiction of the Town of Yanceyville, North Carolina, as now or hereafter established.

Article IV Purpose

The purpose of these regulations is to establish procedures and standards for the development and subdivision of real estate within the corporate limits and extraterritorial jurisdiction of the Town of Yanceyville in an effort to, among other things, insure proper legal description, identification, monumentation and recordation of real estate boundaries; further the orderly layout and appropriate use of the land; provide safe, convenient and economic circulation of vehicular traffic; provide adequate building sites which are readily accessible to emergency vehicles; assure the proper installation of streets and utilities; promote the eventual elimination of unsafe or unsanitary conditions because of undue concentration of the population; and help conserve and protect the physical and economic resources of the Town of Yanceyville and its environs.

Article V Applicability

Section 1. Application of Ordinance

- (a) This Ordinance is applicable to all divisions of a tract of land into two or more lots, building sites, or other divisions, for the purpose, whether immediate or future sale, or building development and shall include all divisions of land involving the dedication of a new street or a change in existing streets.
- (b) No lot or plat (except as provided by Section 2 of this Article) within the Town of Yanceyville's subdivision jurisdiction shall be transferred, nor shall a plat or record thereof be recorded by the Register of Deeds until a final plat of the subdivision has been submitted to and approved by the Planning Board (Minor Subdivisions – Article VII, Section 5.2) or the Town Council (Major Subdivisions – Article VII, Section 4.4(a)). Such approval shall be indicated on the face of the plat and signed by the Town Manager. (See Appendix A for certification forms.)
- (c) The Register of Deeds shall not file a plat or record of subdivision of land within the Town's jurisdiction nor shall the Clerk of Superior Court order such recording without the required certification and signature of the Town Manager.

Section 2. Exceptions

- (a) The following shall not be included nor the subject to the procedures prescribed by the Ordinance:
 - the combination or recombination of portions of previously plotted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the town described herein;
 - the division of land into parcels greater than 10 acres where no street right-of-way dedication is involved;
 - the public acquisition by purchase of strips of land for the widening or opening of streets;
 - the division of a tract in single ownership the entire area of which 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 Subdivision Ordinance;
 - the division of property among heirs for the sole purpose of settling an estate.
 - the division of a lot into a cemetery and grave sites.
 - a parcel of land, which was platted or deeded prior to the adoption of this Ordinance, recorded in the Clerk of Courts office or Register of Deeds, provided no change is made to the existing parcel.
- (b) Plats not subject to the procedures of this Ordinance may be recorded provided the owner desiring to record such plats shall obtain a Certificate of Exemption (Certificate 1, Appendix A) from the staff and shall present the certificate to the Register of Deeds as a proof that one of the conditions of exception noted above is present.

Article VI Definition of Terms

Section 3. Definitions

- 3.1 *Alley.* Alley means a public or private roadway, which affords only a secondary means of access to abutting property.
- 3.2 *Building Setback Line.* A line parallel to the front property line in front of which no structure shall be erected.
- 3.3 *Town Council.* The Town Council of the Town of Yanceyville, North Carolina.
- 3.4 *Double Frontage Lot.* A continuous (through) lot of the same depth as the width of a block containing two (2) tiers of lots and which is accessible from both of the streets upon which it fronts.
- 3.5 *Easement.* A grant by the property owner for use, by the public, a corporation or person(s), of a strip of land for specified reasons.
- 3.6 *Group Development.* A development comprising two (2) or more buildings, such as a group of apartments, and the land is not subdivided into customary streets and lots.
- 3.7 *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" and "parcel."
- 3.8 *Official Plans.* Any plans officially adopted by the Town Council as a guide for the development of the town and surrounding areas.
- 3.9 *Planning Board.* The Planning Board of the Town of Yanceyville, North Carolina.
- 3.10 *Private Drive.* A roadway serving two (2) or less lots, building sites or other division of land and not intended to be public ingress or egress.
- 3.11 *Street.* A dedicated and accepted public right-of-way for vehicular and pedestrian circulation.
- (a) Expressway. A traffic facility primarily designed to carry heavy volumes of through vehicular traffic at high speeds with access only from another street and not abutting properties.
 - (b) Arterial. A traffic artery designed primarily to carry heavy volumes of vehicular traffic from the intersecting minor streets.
 - (c) Collector Street. A street designed to carry medium volumes of vehicular traffic, provide access to the major street system and collect the vehicular traffic from intersecting minor streets.
 - (d) Local or Minor Street. A street, the principal purpose of which is to provide vehicular access to the properties abutting it.

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- (e) Cul-de-sac. A street intersecting another street at one end and permanently terminated by a vehicle turn-around at the other.
 - (f) Marginal Access Street. A local or minor (service) street which parallels and is immediately adjacent to a major street or highway, and which provided access to abutting properties and protection from through traffic and control of intersections with major traffic arteries.

3.12 Shall.

The word “shall” is always mandatory and not merely directory.

3.13 Single-Tier Lot.

A lot, which backs upon a limited access highway, a railroad, a physical barrier, or non-residential use and to which access from the rear of the lot, is usually prohibited.

3.14 Subdivider.

Any person, firm, or corporation who subdivides any land deemed to be a subdivision as herein defined.

3.15 Subdivision.

A “subdivision” shall include all divisions of a tract or parcel of land two (2) or more lots, building sites, or other divisions, for the purpose, whether immediate or future, of sale or building development, and shall include all divisions of land involving the dedication of a new street or a change in existing streets; provided, however, that the following shall not be included within the definition nor be subject to the regulations prescribed by this Ordinance:

- (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 required by this Ordinance.
- (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.

3.16 Subdivision, Major.

All divisions of tracts of land three (3) acres in size or greater meeting the definition of “Subdivision” that are: (a) non-residential, or (b) residential involving construction or extension of a public street. Final plats of major subdivisions must be approved for recording by the Town Council.

3.17 Subdivision, Minor.

All divisions of tracts of land less than three (3) acres in size meeting the definition of “Subdivision” that are residential, and do not involve construction or extension of a public street and in which lots have access to an existing publicly maintained street or highway. Final plans for minor subdivisions may be approved for recording by the Planning Board.

Article VII Plat Review Procedures and Plat Requirements

Section 1. Plat Approval Required

A building permit or certificate of occupancy may be issued for any building, structure, or improvement located within a subdivision, and a plat may be recorded with the Caswell County Register of Deeds, only after a plat for such subdivision has been approved, all required dedications of land have been made, and all required improvements have been installed in accordance with the procedures and requirements of this Ordinance.

Section 2. Major Subdivisions – The Sketch Plan

The procedure for submitting a sketch plan for a major subdivision (any subdivision containing a public street, a non-residential subdivision, or a residential subdivision where the total tract size is three (3) acres in size or greater) and the information to be contained thereon is as follows:

2.1 Submission of the Sketch Plan.

Before preliminary plat application, the subdivider may submit to the staff a simple sketch plan of the proposed subdivision. The subdivider may at this time discuss the proposed development with the staff and become familiar with the regulations affecting the land to be subdivided. This procedure does not require formal application or fee.

2.2 Information to be shown on the Sketch Plan

A simple freehand sketch plan drawn at an approximate scale of not more than two-hundred (200) feet to one (1) inch will be sufficient to show the tentative street layout, approximate street right-of-ways width, lot arrangement, drainage, floodplains or watersheds (reference Yanceyville Floodplain Ordinance and Watershed Ordinance), utility easements, sites for schools, parks, churches, etc., existing structures, water courses, wooded areas, and total acreage.

Section 3. Major Subdivisions – The Preliminary Plat

An application for plat approval may be filed only by all the owners of the property or by an agent, lessee or contract purchaser specifically authorized by all of the owners to file the application. A written copy of the authorization shall be provided to the Town. The procedure for submitting the preliminary plat and the plat requirements are as follows:

3.1 Submission and Review Process for Preliminary Plat

The process for applying for preliminary subdivision plat approval is as follows:

- (a) At least fifteen (15) days before the regularly scheduled meeting of the Planning Board, the subdivider shall submit to the staff twenty-one (21) copies of a preliminary plat prepared by a licensed surveyor, engineer, architect, or landscape architect. The preliminary plat shall contain the information required in Subsection 3.2 below. Supplemental information such as a contour map may be required and shall be submitted in sufficient quantities as a request by the Town Manager.

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- (b) At the time of submission of the preliminary plat, the subdivider shall pay a fee prescribed by the Town Council.
 - (c) The preliminary plat and related information shall be reviewed by the staff for a completion and compliance with the requirements of this Ordinance before it is submitted to the Planning Board. The developer shall correct any omissions or noncomplying features before it is passed on to the Planning Board.
 - (d) Should the Planning Board fail to act on the proposed subdivision within sixty (60) days after submission of the preliminary plat, the subdivider may seek approval at the next regularly scheduled meeting of the Town Council.
 - (e) If the Planning Board renders a negative or conditional recommendation on the preliminary plat, the reasons for such action shall be stated in writing and reference shall be made to the specific sections of the Ordinance with which the preliminary plat does not comply. Should the Planning Board give negative recommendation on the preliminary plat, then the subdivider may appeal to the Town Council within thirty (30) days of the Planning Board action. The decision of the Town Council will be final.

3.2 Required Site Data and Information to be shown on the Preliminary Plat

- (a) The following site data shall be clearly noted on the preliminary plat or provided in printed format accompanying the preliminary plat.
 - Name of owner of the tract of land and name of the surveyor, engineer or landscape architect
 - The proposed name of the subdivision
 - Zoning of the tract
 - Acreage
 - Acreage in common or dedicated open space
 - Maximum density allowed; total number of lots allowed
 - Proposed density and proposed number of lots
 - List of approved conditions of the conditional use zoning district, if applicable
 - Names of adjoining property owners
 - Zoning and existing land use of adjoining properties
 - Proposed use of the land
 - Property in watershed yes no
 - The location
 - The location of existing and platted property lines, street, buildings, water courses, railroads, transmission lines, sewers, bridges, culverts, and drainpipes, water mains, existing contours (intervals of five feet maximum), city limit lines and any public utility easements.
 - Boundaries of tract shown with bearings and distances.
 - Wooded areas, wetlands, floodplains and any other physical conditions affecting the site.
 - Proposed streets, street names, right-of-way, pavement widths, and sidewalks.
 - The location (layout) of proposed utilities (sewer and water) showing connections to existing systems or location plans for individual water, wastewater treatment, and storm drainage.

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- Other proposed right-of-way or easements, location, widths, and purpose.
 - Proposed property lines, lot and block number and approximate dimensions.
 - Proposed minimum building setback lines.
 - Proposed parks, school sites, or other public open spaces, if any.
 - If project is in water supply watershed, provide documentation for compliance with watershed rules.
 - Title, date, north arrow, and scale denoted graphically and numerically.
 - A sketch vicinity map showing the relationship between the proposed subdivision and the surrounding area.

(b) Depending on the topographic conditions, a grading plan may be requested delineating existing ground contours at two (2) foot intervals and proposed contours to be followed as part of the development plan.

Section 4. Major Subdivisions – The Final Plat

Within one year after the date of approval of the preliminary plat, the applicant shall file an application for the final plat approval for that portion of the approved preliminary plat, which the applicant proposes to record and develop at the time, along with the fee prescribed by the Town.

4.1 Information to be shown on the Final Plat

The final plat shall be drawn on Mylar or other material and of size acceptable to the Register of Deeds. The final plat shall constitute only that portion of the approved preliminary plat, which the subdivider proposes to record and develop at the time; provided, however, that such portion conforms to all requirements of this Ordinance. The final plat shall be signed and sealed by a registered surveyor and shall show the following information:

- The lines and names of all streets and roads.
- Lot lines and lot and block numbers.
- Minimum building setback lines.
- Reservations, easements, floodplains and floodways, and any areas to be dedicated to public uses or sites for other than residential use with notes stating their purpose and any limitations.
- Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including true north point. This would include the radius, central angle, tangent distance for the centerline of all curved streets and curved property lines that are not the boundary of curved streets.
- All dimensions should be to the nearest one-tenth (1/10) of a foot and angles to the nearest minute.
- Accurate location and description of all monuments and markers, location of utility easements.
- The names and locations of adjoining subdivisions and streets, and the location and ownership of adjoining unsubdivided property.
- Title, date, north arrow, name and location of subdivision and scale denoted both graphically and numerically.

4.2 *Supplementary Information*

The following requirements and reservations should be understood by the subdivider:

- (a) After approval of a preliminary plat, plan and profile sheets will be required from the subdivider where appropriate. These should be drawn to a vertical scale of not less than five (5) feet to one (1) inch and a horizontal scale of not less than fifty (50) feet to one (1) inch. On these plan sheets, water, sanitary sewer, storm drainage, and street grades shall be indicated. Likewise, all valves, hydrants, catch basins, retaining wall, bridges, culverts and existing overhead structures shall be shown.

- (b) Acceptance by the Town of all streets, walks, easements, public parks and other sites for public purposes as shown on the final plat, shall not obligate the town to open or maintain them until, in the opinion of the governing body of the Town of Yanceyville it is in the public interest to do so. The subdivider shall guarantee all completed improvements and maintenance until acceptance by the Town.

4.3 *Required Dedications, Improvements, Payments, and Guarantees.*

Before the final plat is approved, all dedications and improvements, or payments and guarantees in lieu thereof, which are required by the Town of Yanceyville, shall be installed on the property.

4.4 *Review and Approval of the Final Plat.*

- (a) The Town Council shall review the final plat, and it shall be approved if it is in substantial conformity to the preliminary plat and the applicant has carried out the improvements shown on the preliminary plat and made all dedications and improvements, or payments and guarantees in lieu of payment, as indicated in the approved preliminary plat and required by the Town. The staff shall advise the Council if all submissions have been made and requirements met for final approval.
- (b) Following action by the Town Council finding that all conditions and requirements for approval of the final plat have been met, approval shall be shown by a certificate of approval for recording. (Appendix A, Certificate 4). The staff shall return the approved and signed copy to the applicant who shall make the necessary filings with the Caswell County Register of Deeds within ninety (90) days.

4.5 *Effect of Approval of the Final Plat*

- (a) The subdivider shall file the approved plat with the Caswell County Register of Deeds within ninety (90) days after approval by the Town Council.
- (b) The recording of the approved plat with the Register of Deeds shall authorize the subdivider, or any subsequent developer of the property, to proceed with such applications for the environmental permits and building permits as this Ordinance may require for the development on the property.

Section 5. Minor Subdivisions

The developer of a minor subdivision (a residential subdivision of a tract of land less than three (3) acres in size and not involving the development or extension of a new public road and in which all lots have access to an existing publicly maintained road) may apply for final approval of a minor subdivision through the procedure set forth in this section.

5.1 *Submission Requirements*

Twelve (12) copies of a final plat, prepared according to specifications noted below shall be presented to the staff for submission to the Planning Board. The plat must be accompanied by a certificate of survey signed by a registered land surveyor or engineer.

Specifications:

- scale of 100 ft.:1 in.
- drawn on a sheet size acceptable to the Caswell County Register of Deeds.
- name and address of owner of the tract.
- name and address of surveyor or engineer.
- location (township, county, zoning district).
- boundaries of tract shown with bearings and distances.
- existing property lines and subdivisions of surrounding property, streets, water courses, utility easements, water and/or sewer lines, and city limit lines.
- surveyed lots with all dimensions, easements, reservations, etc.
- layout of proposed utilities showing connections to existing systems or location plans for individual water supply, wastewater treatment, storm drainage and erosion control, etc.
- proposed minimum building setback lines.

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- title, date, north arrow, name and location of subdivision and scale denoted both graphically and numerically

5.2 Review Procedure and Approval Of Final Plat

The Planning Board shall review each minor subdivision and shall find that it either does or does not meet the requirements of this Ordinance. Based on these findings, the Planning Board shall either approve, disapprove, or approve conditionally the proposed minor subdivision within thirty (30) days of its submission.

5.3 Certificate of Approval for Recording

If the proposed minor subdivision is approved by the Planning Board, the approval shall be shown by a certificate of approval for recording. (Appendix A, Certificate 4)

Article VIII General Requirements and Minimum Standards of Design

Section 1. General Requirements

1.1 Continuation of Adjoining Street System

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

1.2 Access to Adjacent Properties

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

1.3 Large Tracts or 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 streets and logical further re-subdivision.

1.4 Private Streets and Reserve Strips

There shall be no private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets, except where control of such strips is definitely placed with the community under conditions reviewed favorably by the expressway or arterial street.

1.5 Restriction of Access

When a subdivision fronts on an expressway or arterial street, the Planning Board may require a marginal access street to provide frontage for lots on the expressway or arterial street.

1.6 Alleys

Alleys shall be provided to the rear of all lots used for other than residential purposes. Alleys are prohibited in residential purposes unless such are recommended by the Planning Board and approved by the Council. All dead-end alleys shall be provided with a turn-around.

1.7 Street Names

Proposed streets, which are obviously in alignment with others existing and names shall bear the assigned name of existing streets. In no case shall the name for proposed streets duplicate or phonetically be similar to existing streets in or near the town, e.g. PUDs and townhouse communities.

1.8 Private Driveway

Driveways must be paved in subdivisions that require a Special Use Permit.

Section 2. Design Standards

The following design standards shall be considered minimum requirements:

2.1 Streets.

The layout of streets shall conform to Department of Transportation standards as set forth in the current DOT Standards for subdivision streets.

- a) *Cul-de-sacs*
Permanent dead-end streets shall not exceed eight hundred (800) feet in length and shall be provided with a turn-around having a fifty (50) foot radius. Temporary dead-end streets shall be provided with a turn-around having a fifty (50) foot radius. Temporary turn-arounds shall be paved or graveled in accordance with town specifications and standards. Adequate sewer and water line right-of-way should be reserved to eliminate water line dead ends and to provide sewerage outfalls.
- b) The dedication of half streets at the perimeter of a new subdivision is prohibited. If circumstances render this impracticable, adequate provisions for 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.
- c) Intersections with a major street shall be at least eight hundred (800) feet apart measured from centerline, and intersections with an expressway shall be controlled and determined by the Planning Board or the State Department of Transportation.

2.2 Alleys.

All alleys shall be constructed in accordance with town specifications and standards and shall meet the following requirements:

- Right-of-way width 20 feet
- Minimum centerline radius with a deflection angle of more than 10° occurs 35 feet
- Property line radius at alley intersections 15 feet

2.3 Blocks.

The maximum and minimum length and width of blocks shall be as follows:

(a) Length

Block lengths shall not exceed twelve-hundred (1,200) feet nor be less than four-hundred (400) feet, except as considered necessary by the Planning Board to secure efficient use of land or desired features of the street pattern. Where deemed necessary by the Planning Board and approved by the Council, a pedestrian crosswalk of at least ten (10) feet in width shall be provided.

(b) Width

Blocks shall have sufficient width to allow two (2) tiers of lots minimum depth. Blocks may consist of single tier lots where such are required to separate residential development from through vehicular traffic or non-residential uses.

2.4 Sidewalks.

Sidewalks shall be constructed in all subdivisions that require a Special Use Permit. They shall be constructed on both sides of the street in residential subdivisions, except that on cul-de-sacs they shall be required only when the cul-de-sac has twelve (12) lots, and on one side of the street in subdivisions in business and industrial districts. Sidewalks shall be constructed within the street right-of-way and installed in accordance with the NC Department of Transportation, Division of Highway Publication entitled, Guidelines for Curb Cuts and ramps for the Handicapped Persons.

2.5 Lots.

Lots in subdivisions located in districts specified by the Zoning Ordinance shall meet and conform to all lot size, dimension and building setback requirements of the said zoning district.

(a) Orientation

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

(b) Buffer Strips

Upon recommendation by the Planning Board a buffer strip at least ten (10) feet in width shall be required to be located adjacent to a major street or a commercial or industrial development. This strip may be in addition to the normally required lot dimension, shall be part of the platted lot, and shall be reserved for the planting of trees and shrubs by the owners.

2.6 Easement.

Utility and other easements shall be provided as follows:

- Utility easements centered on rear or side lot lines shall be provided where deemed necessary by the Town Engineer and shall be at least twenty (20) feet in width and ten (10) feet on each side.
- Where a subdivision is traversed by a water course, drainage way, channel, or stream, a storm easement or drainage right-of-way conforming substantially with the lines of the water course shall be provided. Its width and construction shall meet the state's current standards.

2.7 Public Open Spaces and Sites for Public Facilities.

Where a school, park, or other public area shown on a plan adopted by the Town Council or approved for acquisition by a public body lies wholly in or in part within an area proposed to be subdivided, such area shall either be dedicated for the public purpose or reserved for acquisition by the appropriate public body for a period not exceeding sixty (60) days from the date of approval of the preliminary subdivision plat.

Article IX Installation of Permanent Reference Points and Improvements

Section 1. Permanent Reference Points

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

1.1 Subdivision Corner Tie.

At least one (1) corner of the subdivision shall be designated by course distance (tie) from a readily discernible reference marker. If a corner is within two-thousand (2,000) feet of a US Coastal and Geodetic Station or NC Grid System coordinated monument, then this corner shall be marked with a Monument so designated by computed X&Y coordinates which shall appear on the map with a statement identifying this station or Monument to an accuracy of 1:10,000. When such a Monument or station is not available, the ties shall be made to some pertinent and readily recognizable landmark or identifiable point, physical object or structure.

1.2 Monuments

Monuments shall be installed in accordance with state surveying requirements.

1.3 Property Markers

A steel or wrought iron pipe, or the equivalent 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 where necessary.

1.4 Accuracy

The allowable angular error of closure and linear error of closure for surveys within the town limits and extraterritorial jurisdiction shall be as follows:

- Angular error of closure within the town limits shall not exceed twenty-five (25) seconds times the square root of the number of angles turned.
- Linear error of closure within the town limits shall not exceed one (1) foot per ten-thousand (10,000) feet of preeminent of the lot of land (1:10,000).
- Angular error of closure beyond the town limits shall not exceed thirty (30) seconds times the square root of the number of angles turned.
- Linear error of closure beyond the town limits shall not exceed one (1) foot per seventy-five hundred (7,500) feet of perimeter of the land (1:7,500).

Section 2. Improvements Within the Town's Jurisdiction

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.

2.1 Street Improvements

The following requirements shall apply to all streets within the corporate limits of the Town of Yanceyville:

- 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 Engineer.
- Paving
Road base and paving shall be installed and shall be in accordance with the Town's specifications and standards.
- Curbs and Gutters
Combination curb and gutter shall be installed and shall be in accordance with the Town's specifications and standards.

2.2 Utilities

Storm and sanitary sewer, fire hydrants, electrical systems and street signs shall be designed by a competent engineer and shall be approved by the Town Engineer, Water mains shall be installed in accordance with Town specifications and standards. Should private water and sewer systems be provided, they shall meet requirements of the Caswell County Department of Public Health and the N.C. Division of Environmental Management.

2.3 Guarantee of Improvements.

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

- Filing a performance or surety bond in an amount to be determined by the Town to be sufficient to do the work.
- 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. But in no event shall the cost be less than 125% of the estimated cost of completion of the improvement.

Section 3. Improvements Beyond the City Limits

The provisions of this Article shall apply to all subdivisions within the jurisdiction of the Town of Yanceyville.

Article X Administration

Section 1. Variances

Where, because of topographic 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, and, after consideration, the Board of Adjustment may authorize a variance, if such a 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 Board of Adjustment and the reasoning on which the departure was justified set forth.

Section 2. Penalties, Violation a Misdemeanor

Anyone who subdivides land within the Town of Yanceyville or transfers or sells land by reference to or use of a plat showing a subdivision of land before the subdivision has been properly approved and recorded in violation of this Ordinance shall be, as provided in G.S. 160A-375, guilty of a Class 1 misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from this penalty. The Town through its Attorney may bring an action for injunction of any illegal subdivision, transfer or conveyance of land, and the court, shall upon appropriate findings, issue an injunction and order requiring the offending party to comply with the Subdivision Ordinance.

Section 3. Amendments, Amendment Procedure

This Ordinance may be amended from time to time by the Town Council, 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 sixty (60) days within which to submit its report. If the Planning Board fails to submit a report within the specified amount of time it shall be deemed to have recommended the amendment.

Section 4. Legal Status Provisions, 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 part thereof, other than the part so declared to be unconstitutional or invalid.

Section 5. Right of Appeal by Subdivider

On any determination by the Planning Board under any of the provisions of this Ordinance as amended or otherwise, the subdivider has an exclusive right of appeal to the Town Council, and the determination or decision on appeal by the Council shall be final.

Section 6. Conflict with Other Regulations

Should the requirements of this Ordinance conflict with those of the Zoning Ordinance or other Town regulations, the more stringent requirements shall prevail.

Appendix A Required Certifications

1. Certificate of Exemption (Subdivision not subject to approval procedures of Ordinance)

I hereby certify that this plat is exempt from the Subdivision Ordinance under the definitions of subdivision contained in N.C. Gen. Stat. § 376 and the Town of Yanceyville Subdivision Ordinance for the following reasons:

- 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 set forth in this Ordinance;
- The division of land into parcels larger than ten acres where no street right-of-way dedication is involved;
- The public purchase of strips-of-land for the widening or opening of streets; and
- The division of a tract of land in single ownership whose entire area is no greater than two acres into three or fewer lots, where no street right-of-way dedication is involved and where the resulting lots are equal to or exceed the standards set forth in this Ordinance.

Date

Authorized Town Staff

2. Certificate of Accuracy

The final plat shall contain a certificate signed by the engineer, surveyor, or architect, meeting the requirements of Section 47-30 of the General Statutes of North Carolina, an amended, written as follows:

“I _____ hereby certify that the plan shown and described hereon is a true and correct survey of the accuracy required by the Subdivision Ordinance of the Town of Yanceyville, Caswell County, and that the monuments have been placed as shown hereon in accordance with the requirements of the Subdivision Ordinance.”

Registered Surveyor, or Engineer, or Architect

3. Certificate of Ownership and Dedication

The final plat shall contain the following certificate over the signature of the owner or owners:

“This certifies that the undersigned is (are) the owner(s) of the property shown on this map, having acquired title to it by deed(s) recorded in the Caswell County, North Carolina Register of Deeds otherwise as shown below and that by submission of this plat or map for approval, I/we do dedicate to the Town of Yanceyville for public use all streets, easements, rights-of-way and parks shown thereon for all lawful purposes to which the town may devote or allow the same to be used and upon acceptance thereof and in accordance with all town policies, ordinances, and regulations or conditions of the Town of Yanceyville for the benefit of the public, this dedication shall be irrevocable. Also, all private streets shown on this map, if any, are to be made available for public use.”

Book No. _____, Page No. _____
/s/ _____

4. Certificate of Approval for Recording

“I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision regulations of the Town of Yanceyville with the exception of variances, if any, and conditions approval as are noted in the minutes of the Town Council and/or the Board of Adjustment and that this subdivision has been approved for recording in the office of the Caswell County Register of Deeds.”

Date

Authorized Staff, Town of Yanceyville

5. Certificate of Approval for Recording (in watershed):

I certify that the plat shown hereon complies with Article 11, Section 11-3 Watershed overlay Districts of the Yanceyville Zoning Ordinance and is approved for recording in the Register of Deeds Office. **NOTICE: This property is located within a public drinking water supply watershed. Development restrictions may apply.**

Date

Stormwater Management Engineer
(Authorized Official)

6. Certificate of the Approval of Private Water and Sewer Systems (where appropriate):

“I hereby certify that the water supply and sewage disposal system installed, or proposed for installation in the subdivision entitled _____ fully meets the requirements of the Caswell County Department of Public Health.

Date

County Health Officer

7. Certificate of Approval and Acceptance Dedications:

I _____ the town clerk of Yanceyville, North Carolina, do certify that the Town of Yanceyville approved this plat or map and accepted the dedication of the streets, easements, rights-of-way and public parks shown thereon, but assumes no responsibility to open or maintain the same, until the opinion of the Town Council of the Town of Yanceyville, it is in the public interest to do so.

_____ 20_____
Date

Town Clerk

Appendix B Requirements for Water and Sewage Disposal in Areas without Public Water and Sewer

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 N.C. Division of Health Services.

Water supply systems serving from two (2) to nine (9) connections inclusive may be regulated by the County Health Department, and plans shall be approved by the County Health Department.

Plans for public and community sewer systems must be approved by the N.C. Division of Environmental Management.

Individual water supplies should be located, constructed and operated in accordance with the 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 County Board of Health. State Board of Health Bulletin No. 519, Residential Sewage Disposal Plants, contain helpful information.

Public sewer systems

Any sewage collection and disposal system serving ten (10) or more connections (homes) where the sewage receives primary treatment by a single Imhoff, tank, sewage lagoon, or like system.

Appendix C Subdivision Record

Preliminary Plat _____ Date Submitted _____

Name of Subdivision _____

Location _____

Owner _____ Address _____ Tel. # _____

Owner _____ Address _____ Tel. # _____

Check List:

- _____ Key map embracing subdivision and surrounding areas.
- _____ Four copies of preliminary plat.
- _____ Scale: 1" = 100' or larger.
- _____ Name of subdivision and owner.
- _____ North point, graphic scale, date.
- _____ Boundaries of tract with bearings and distances.
- _____ Name of adjoining property owners.
- _____ The location of existing sanitary and storm sewers, water, gas mains, electric lines, and other utilities.
- _____ Names, locations, and approximate dimensions of proposed streets, easements, parks, and reservations, lot lines, etc.
- _____ Contour maps if required.
- _____ Proposed lot lines, building lines and approximate dimensions.
- _____ Lot and block numbers.
- _____ Zoning classification (if any land is to be subdivided on adjoining land).
- _____ Conforms to general requirements and minimum design standards.
- _____ Conforms to watershed requirements if in water supply watershed.

Approved _____ to proceed to final plat.
Date

Subject to following modifications: _____

Disapproved _____ for the following reasons: _____

