

Vance County

Planning & Development



Subdivision Policy & Procedures

2004 Edition

Vance County

Planning & Development

Policy & Procedures

Adopted June 7, 2004

(Per Vance County Board of Commissioners Action)

Amended March 9, 2005

(Per Vance County Planning and Development Assistant Director/Senior Planner)

Fees updated November 1, 2011

Authorization & Purpose

The Vance County Subdivision Review Committee was formed with authorization of the Vance County Board of Commissioners and were given the task of simplifying and shortening of the existing Vance County Subdivision Ordinance. The persons appointed to this committee were as follows:

- 1) Ron Edmonson, Director of Planning & Development
- 2) Ken Krulik, Land Use/Transportation Planner, Kerr-Tar Regional Council of Governments (hired as Vance County Assistant Director/Senior Planner 2/2/04)
- 3) Agnes Harvin, Vance County Planning Board
- 4) Alan Rowland, Independent Surveyor
- 5) Jim Thompson, Building Contractor

This Committee identifies and presents the following as steps in this process.

- 1) Analyze and reduce excessive verbiage, duplication of text, ambiguity and contradictions and to simplify and correct language of the existing Subdivision Ordinance without changing the meaning or weakening the regulation.
- 2) Separate the procedural requirements from the regulatory requirements of the existing Subdivision Ordinance into two (2) separate but inter-related documents.
 - a. The Vance County Subdivision Ordinance containing the simplified text of the original ordinance without reducing the effectiveness and regulations contained therein.
 - b. The Planning & Development Policy and Procedures document containing the policies, Procedures and forms for using and understanding of the Subdivision Ordinance.
- 3) Present the findings and recommendations to the Planning Board as is required to modify or change this Ordinance.
- 4) The Planning Board will review the proposed modifications and schedule a public hearing as is required by this ordinance.
- 5) Present the recommendations of the committee to the Vance County Board of Commissioners for approval.

The subdivision review committee presents these documents to the Board of Commissioners recommending the acceptance of proposed changes. This Committee further recommends to the Board of Commissioners that this Committee be retained to further simplify the subdivision ordinance and return with further recommendations and that the Planning & Development staff review and further simplify the Policy & Procedures document and return with recommendations to the Board of Commissioners.

These recommendations are presented with the full support of the Vance County Director of Planning and Development Department (and Staff), Vance County Planning Board, Subdivision Review Committee, and adopted through the regular meeting process (review and public hearings) of the Vance County Board of Commissioners (adopted June 7, 2004).

Vance County Planning & Development Policy, Fees & Procedures

Table of Contents

Section	Content	Page
100	Exemptions	1
	<u>Section 101</u>	
	<u>Procedures for Approval of a Minor Subdivision</u>	
101.1	Application Requirements	1
101.1.2.1	Class 1 or 2 Private roads	1
101.1.3	Payment of Fees	1
101.1.4	Copies of Plats	1
101.1.5	Design Professional Required	1
101.2.1	Time Required for Application	2
101.2.1a	Technical Review Committee	2
101.2.2	Copies required	2
101.3	Planning Board Action	2
101.4	Period of Validity	2
101.4.1	Recording Requirements (no private road)	2
101.4.2	Recording Requirements (with private road)	2
101.4.3	Condition Approval	2
101.5	Denied Plat	2
	<u>Section 200</u>	
	<u>Procedures for Approval of a Major Subdivision</u>	
200.1.1	Application Submittal Requirements	3
200.1.2	Fees	3
200.1.3.2	Submittal Time Requirements	3
200.1.3.5	Technical Review Time requirements	3
200.1.5	Planning Board Action	3
200.1.6	Action after decision	3
200.1.7	Conditional Approved Preliminary Subdivision Plats	3
200.1.8	Expiration of Preliminary Plat	3
200.1.9	Denied Preliminary Plat	3
200.1.10	Amendments to Preliminary Plat	4
200.2	Detailed Construction Plan Submittal	4
200.2.2	Information Required for Construction Plan Submittal	4
200.2.2	Review of Construction Plans	4
200.2.2.5	Authorization to Proceed	5
200.2.2.6	Approval Validity time	5
200.2.5.2	Disclosure Statement	5
200.2.6	Building Permits and Public Road Requirements	5
200.3	Construction Inspection and Administrative Procedures.	5
200.3.2	Violations	6
200.3.2.2	Stop-Work Orders	6
200.3.2.3	Revocation of Authorization to Procedure	6
200.3.2.4	Failure to Comply with Order	6
200.4	Final Subdivision Plat	7
200.4.2	Review by Administrator	7
200.4.3	Planning Board Action on Final Subdivision Plat	7
200.4.3.1	Approval of Final Plat	7
200.4.3.2	Conditional Approval of Final Plat	7
200.4.3.3	Denied Final Plat	7

200.4.3.4	Vacation of Plat	7
201	Development in Phases	7
201.1	Requirements for Development in Phases	7

Appendix A-100

A-100.1	Certificate of Exemption	9
---------	--------------------------	---

Appendix A-101 Development Information

A-101.1	Owner Information	9
A-101.2	Applicant/Authorized Agent	9
A-101.3	Lot Information	9
A-101.4	Road Information	9
A-101.5	Minor Subdivision Summary Sheet	10
A-101.5.1	Surveyor Information	10
A101.5.2	Engineer Information	10
A-101.5.3	Current Land Use	10
A-101.5.4	Water Supply Watershed Area	10
A-101.5.6	Farm Tax Credit, CREP or Historic Register	10
A-101.6	Public Services	10
A-101.6.1	Fire Service	10
A-101.6.2	Postal Delivery Area	10
A-101.6.3	Public School System	10
A-101.6.4	Proposed Land Use	10
A-101.7	Utilities	11
A-101.7.1	Utilities to Serve Subdivision	11
A-101.8	Owner's Certification	12
A-101.8.1	Private Access Easement	12
A-101.8.2	Class 2 Private Road	12
A-101.9	Submittal Checklist	13
A-102	Plat Certifications	14
A-102.1.2	Certificate of Ownership	14
A-102.2.1	Certification of Health Department	14
A-102.3.1	Owner's Certification Septic Tank Sys.	14
A-102.4.1	Public Water/Sewage Dedication	14

Appendix B

B-201.2.1	Public Road Disclosure	15
B-201.3.1	Road Construction Certification DOT	15
B-201.2.2	Private Road Disclosure	15
B-201.4.1	Certificate of Final Approval	16
B-201.5.1	Reviewed State of North Carolina	16

Appendix C

C-101	Application/Development Plan	17
C-102	Existing Conditions	17
C-103	Proposed Conditions	18
C-104	Certifications	18

Section 400 Planning Policy & Procedures

400.1	Payment Policy	19
400.2	Review and Action	19
400.3	Issuance of Permits	19
400.4	Inspections	20
400.5	Planning & TRC Meetings	20

Section 500 Planning Fees

500.1	Compliance Fees	21
501.1	Review Fees	21

Vance County Planning & Development

Section 100 Exemptions

100.1 Certification of Exemption: In accord with state law, no map or plat showing a division of land within Vance County's planning jurisdiction may be recorded with the Register of Deeds unless it has been certified that the map or plat is approved in accordance with this Ordinance or is exempt. An exempt division of land shall have statement **A-101 in Appendix A** affixed to the surveyor's map and signed by an authorized agent prior to recordation.

Section 101 Procedures for Approval for a Minor Subdivision

A minor subdivision plat application shall be prepared, reviewed, and approved or denied by the Planning Board in accordance with the following provisions.

101.1 Minor Subdivision Application Requirements: A complete application shall include:

101.1.1 The appropriate attachments as listed in Appendix A, as is required.

101.1.2 Documents and agreements that provide:

101.1.2.1 Class 1 or 2 private roads and private access easements shall be constructed in accordance with Section 263 of the Vance County Subdivision Ordinance (Regulations) and shall be accompanied by the appropriate documents providing for the perpetual maintenance agreement. All access easements shall be constructed and maintained to provide safe passage for public service and emergency vehicles and the documents shall:

- a) Specify how the responsibility for road maintenance will be apportioned among the landowners served and
- b) Provide enforcement rights for the Maintenance Agreement.

101.1.3 The payment of all review and recording fees; and

101.1.4 Seventeen (17) folded paper copies containing all required information specified on the Minor Subdivision Application Form (also applies to Major) and the Minor Subdivision Plat Checklist (also applies to Major) shown in Section 334 of the Vance County Subdivision Ordinance (Regulatory Document). Note the following:

- a) For Major Subdivisions, all seventeen (17) folded paper copies shall be a minimum of 18" x 24" in size, unless the level of detail of the survey requires a larger size.
- b) For Minor Subdivisions, eight (8) folded paper copies shall be a minimum of 18" x 24" in size and nine (9) shall be a minimum of 11" x 17" inches in size unless the level of detail of the survey requires the remaining nine (9) copies to be a larger size.

101.1.5 The surveyed plat shall be prepared by a registered civil engineer, professional land surveyor or other qualified design professional as permitted by North Carolina General Statutes and required by this Ordinance.

101.2 The Planning and Development Staff shall determine that the application is complete, that the project requires review by the Vance County Planning Board and shall distribute copies to:

- a) the Vance County Technical Review Committee
- b) the Vance County Planning Board, and
- c) other federal, state, or local agencies as is required.

101.2.1 Comments from those reviewing a proposed minor subdivision shall be placed in writing (or comments given by phone, fax, or Email) and submitted to the Planning Department at least two (2) days prior to the scheduled meeting at which the Planning Board to first review the proposed project and application.

101.3 The Planning Board shall review and act upon the minor subdivision application and plat and determine compliance with the Vance County Subdivision Ordinance. Such action shall be to approve, approve contingent upon revisions, reject/deny the application and plat, or table the application and plat pending further review. Tabled actions shall be for not more than two regular Planning Board meetings.

101.4 Recordation of Plats:

101.4.1 Approved plats without the requirement (s) for construction, expansion, or improvement of private road (s) shall be recorded with the Vance County Register of Deeds within sixty (60) days. Only the recordation of the minor subdivision plat shall constitute authority to sell lots in the subdivision.

101.4.2 Approved plats with required road construction, expansion, or improvement of private roads and/or conditional approval (contingent upon) shall be recorded with the Vance County Register of Deeds within one-hundred eighty (180) days.

101.5 Denied Plat: If a minor subdivision plat is denied by the Planning Board, the reasons for such action shall be given, in writing, to the applicant or his/her agent. A denied plat shall not be resubmitted for a period of twelve (12) months unless reviewed by the Planning and Development Department staff and determined to be revised sufficiently to warrant reconsideration.

Section 200 Procedures for Approval of a Major Subdivision

200.1 Preliminary Subdivision Plat Review and Approval.

200.1.1 Application Submittal Requirements: All proposed subdivision plats shall be prepared by a registered civil engineer, professional land surveyor, or other qualified design professional as permitted by the North Carolina General Statutes and shall be filed with the Subdivision Administrator. Plans may be submitted in digital form with the permission of the Subdivision Administrator.

200.1.2 Fees: All fees shall be due and payable at the time of application. If an application is determined to be incomplete, fees shall be returned to the applicant.

200.1.3 Application Submission: content, completeness, review and timing.

200.1.3.1 The application shall provide the information required by this ordinance, the adopted Policies and Procedures of the Planning Department and other forms as may be adopted by the Planning Board.

200.1.3.2 An application shall be submitted twenty (20) working days (or within the other time as is required by the adopted Policies and Procedures of the Planning Department) prior to the Technical Review Committee Meeting at which the applicant is requesting Preliminary Plat Review.

200.1.3.3 A completed application must comply with Section 407 of the Vance County Subdivision Ordinance (Regulations).

200.1.3.4 An incomplete application shall be rejected in writing identifying the deficiencies. Rejected applications not picked up within time allotted by the adopted Policies and Procedures of the Planning Department will be disposed of.

200.1.3.5 To be considered for review by the Technical Review Committee, an application shall be determined to be complete within twelve (12) working days or other time as is allotted by the adopted Policies and Procedures of the Planning Department.

200.1.4 Review of Application by the Technical Review Committee: The Planning Department shall distribute copies of the reviewed application with recommendations at least (10) days (or other time as is required by the adopted Policies and Procedures of the Planning Department) prior to the next scheduled meeting of the Technical Review Committee and shall notify the applicant of the date, time, and place of the review.

Each member of the Technical Review Committee shall review for compliance and impact that pertains to their area of concern and shall submit those findings to the Technical Review Committee. The Technical Review Committee shall formulate and forward a recommendation to the applicant and to the Vance County Planning for disposition of the application.

The application shall be forwarded to the Planning Board, including any recommendations and any supporting documents, for review at the next scheduled meeting.

200.1.5 Planning Board Review and Action: The planning Board shall review and consider the recommendations of the Technical Review Committee all other pertinent information supplied by any other interested parties, then, shall approve, approve with condition, deny or table action on the application. Action shall not be tabled for more than (2) regular meetings.

200.1.6 Action After Decision: The Planning Director shall notify the applicant of the Planning Board's decision in writing (or electronically) and shall forward one (1) copy to;

- 1) The Vance County Planning and Development Department (inclusive of Code Enforcement)
- 2) The Vance County Health Department.

The applicant shall submit one (1) mylar original and three (3) copies of the approved Preliminary Subdivision Plat or a revised Preliminary Subdivision Plat as required in Section 200.1.7 below for a conditionally approved plat.

200.1.7 Conditionally Approved Preliminary Subdivision Plat: Failure to revise and resubmit a preliminary subdivision plat granted prior conditional approval within sixty (60) days, shall result in the plat being denied.

200.1.8 Expiration of Preliminary Plat Approval: Preliminary Plat Approval will expire if construction has not commenced within two (2) years after approval or is discontinued for a period greater than one-hundred eight (180) days. A new application and approval under the standards in effect at that time will be required to restart or continue the project.

200.1.9 Denied Preliminary Subdivision Plat: If a request for approval is denied, the application may not be resubmitted for a period of twelve (12) months after denial unless, in the opinion of the Subdivision Administrator, it has been modified or rewritten sufficiently to consider it as a new request.

200.1.10 Amendments to Preliminary Plat: Amendments to an approved preliminary subdivision plat must be submitted and approved through the same process as the original application and must be submitted prior to approval of the final plat. No more than two (2) amendments shall be considered.

200.2 Detailed Construction Plan Submittal, Review, and Authorization to Proceed: Detailed construction plans may be prepared and submitted to the Subdivision Administrator following and in accordance with the approval of the plat and within twenty-four (24) months of the approval.

200.2.1 Information Required for Construction Plan Submittal: The Construction Plan submittal shall include all required materials specified in the construction plat checklist in the adopted Policies and Procedures of the Planning Department.

200.2.2 Review of Construction Plans;

200.2.2.1 The Subdivision Administrator will review the plans to determine that the construction plans are in accordance with the approved preliminary plat and the requirements of the Vance County Subdivision Ordinance. The Subdivision Administrator may forward copies of the construction plan submittal to the Technical Review Committee and to other appropriate State and local agencies for review and recommendations.

200.2.2.2 Following this joint review, the Subdivision Administrator shall, in writing, approve the construction plan submittal as proposed, approve the plan with conditions or modifications, or in the case of major deficiencies disapprove the submittal. If the submittal is disapproved, reasons for disapproval shall be stated, in writing, and the subdivider may correct any deficiencies and submit a revised construction plan submittal for approval. The Subdivision Administrator shall then review the corrected plans.

200.2.2.3 The Subdivision Administrator shall return one (1) copy of the construction plan submittal, the recommendations of State and Local agencies, and his decision to the subdivider, retaining one (1) copy of each of the documents.

200.2.2.4 If the construction plan submittal is complete and is in accordance with the approved preliminary plan and the requirements of this ordinance, the Subdivision Administrator will authorize the subdivider to proceed with construction. The intent of this authorization is to enable the execution of the approved preliminary plat and construction plans in the field and shall not be construed to entitle the recipient to offer any lot for sale.

200.2.2.5 The authorization to proceed, once approved, may be revoked, if there has been alteration of the site or soil conditions, evidence of improper documentation determined by local, state, state, or federal agencies, changes to the proposed facility, or document falsification causing revocation of the permit.

200.2.2.6 Upon the approval of the construction plan submittal, the subdivider may prepare a record plat. The subdivider may also begin to install the roads, utilities, and other improvements in accordance with the approved construction plans and requirements and other State and local laws. Approval of a construction plan under this Article shall be valid for a period of twenty-four (24) months and will not be invalidated by any changes and amendments to the Vance County Ordinances.

Projects may be phased for construction purposes; however, compliance shall be achieved in each separate phase.

200.2.3 Construction Procedures:

200.2.3.1 Construction or installation of improvements shall not commence until construction documents have been submitted and approved.

200.2.3.2 Construction permits shall not be issued for individual lots until all applicable State and local laws have been met.

200.2.4 Completion of Improvements: Except as is provided in 200.2.5 below, a final plat shall not be released for recordation until all required improvements have been met, inspected or verified and approved.

200.2.5 Platting before Completion of improvements: Disclosure Statement:

Plat(s) presented for recordation prior to completion and approval of all required improvements shall be accompanied by approved construction assurances as is required by Article VI of the Vance County Subdivision Ordinance (Regulations), a construction schedule for compliance, and a statement disclosing the status of any uncompleted improvements.

Building permits shall not be issued for more than fifty percent (50%) of lots until all required improvements have been completed and approved. No individual certificate of occupancy shall be issued for a lot until all required water, sewage, and electrical service systems have been installed, inspected, approved, and are fully functional.

200.2.5.1 Required construction schedule(s) must be approved and shall indicate each construction requirement, prerequisites and projected time of completion.

The disclosure statement required by this sub-section shall include the following:

200.2.5.2 The subdivider's signed and notarized disclosure acknowledgment of the subdivider's responsibilities:

- a) for maintenance and construction and/or installation of all required improvements, roads and systems until such time as a unit of government, public utility, homeowner's association, lot owner, or other legal entity assumes responsibility for the maintenance of the improvements; and,
- b) to supply to any prospective buyer complete written disclosure of those responsibilities; including,
 - a) provisions for withholding of building permits
 - b) provisions for withholding of certificates of occupancy.
 - c) pending or existing actions or restrictions on individual building permits and/or certificates of occupancy.
- c) provisions regarding the withholding of building permits pending either the receipt of NC DOT's recommendation that the required public road improvements be added to the State-maintained road system or the execution of a maintenance agreement.

200.2.6 If the improvement is to be a public road, no building permits shall be issued for more than seventy-five percent (75%) of the individual lots until:

- a) a written statement from NCDOT's district engineer has been received verifying that the requirements of the State Board of Transportation have been met; or
- b) a maintenance agreement in compliance with the requirements of this ordinance to continue to maintenance until such time as the road is accepted by the State Boards of Transportation as part of the state maintained road system.

200.3 Construction inspection and Administrative Procedures.

200.3.1 All construction shall be in accordance with the approved preliminary plat, approved construction plans, and all applicable State and local laws. Inspection for verification of functionality and compliance will be conducted as required by the adopted Policies and Procedures of the Planning Department.

200.3.1.1 Inspections: As the work pursuant to an approved preliminary plat and construction plans progresses, the Subdivision Administrator is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance and to the approved plat. It shall be the duty of the owners of the subdivision to give free access to such premises at reasonable times for the purpose of inspections or other enforcement action.

200.3.1.2 Evidence that all required improvements, paperwork and activities have been completed will be required for each component of the construction.

200.3.1.3 Final Approval: When the developer has completed the construction of the Subdivision and has submitted all required documentation, he shall request final subdivision construction approval. The development shall be inspected to determine whether the construction conforms to the approved plans and the requirements of this Ordinance. All departments and agencies shall coordinate final approvals for the development. A Certificate of Compliance shall be signed by all appropriate departments and agencies and final subdivision construction approval shall be issued at the time the development is in full compliance with this Ordinance, the approved construction plans and the approved preliminary plat. A Certificate of Compliance is required for the release of construction assurances.

When a Subdivision is to be developed in phases, the preliminary plat and construction plans may be submitted for the entire development and request for final inspection and a Certificate of Compliance may be made for each phase developed.

200.3.2 Violations:

200.3.2.1 Violations to be corrected: When the local administrator finds violation of applicable State and local laws, it shall be his duty to notify the owner and appropriate agency of such violation. If the appropriate agency finds the owner to be in violation, the owner shall immediately remedy each of the violations of law. If the administrator shall find that the development is in violation of the Ordinance, he shall give written notice to the owner by certified or registered mail to his last known address or by personal service, requiring the owner to remedy the violation within such period as the administrator may prescribe.

200.3.2.2 Stop-work orders: Whenever a property is in violation of this ordinance, the administrator may order the work to be immediately stopped. This stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the condition under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.

200.3.2.3 Revocation of Authorization to Proceed: the Director may revoke and require the return of the Authorization to Proceed by notifying the subdivider in writing stating the reason for the revocation. Authorizations shall be revoked for any substantial departure from the approved plans or specification; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the approvals. Any Authorization to Proceed mistakenly issued in violation of an applicable State or local law may also be revoked.

200.3.2.4 Failure to Comply with Order: If the owner fails to comply with an order to take corrective action, he shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

200.3.2.5 The issuance of any permits for a subdivision shall be suspended where violation of this Ordinance occurs and corrective action is not taken within the prescribed time period.

200.4 Final Subdivision Plat:

200.4.1 Submittal

The Developer shall submit a final subdivision plat that shall include;

- a) all required items detailed in Section 200.
- b) approval of the solid waste system, water system, road system and wastewater system, and
- c) all revisions or additions required by the approved Preliminary Subdivision Plat.

200.4.2 Review by Subdivision Administrator:

Final Plans shall be submitted to the Planning Department for verification and determination of compliance and completeness, and then forwarded to the Planning Board for approval. Incomplete or non-compliant plans and specifications shall be rejected in writing and returned to developer. Plans not retrieved within ten (10) days will be discarded.

200.4.3 Planning Board Review and Action on a final Subdivision Plat.

The Planning Board shall review the final subdivision plat. The Planning Board shall approve, approve with modifications or conditions, or deny approval of the Final Subdivision Plat.

200.4.3.1 Approval of Final Plat: An approved final plat shall be submitted to the Subdivision Administrator for signatures for recordation within sixty (60) days of approval. Failure to record final plat within the required sixty (60) days period will result in expiration of approval. Copies and supporting data shall be in compliance with the adopted Policies and Procedures of the Planning Department.

200.4.3.2 Conditional approval: A final plat approval contingent upon conditions or modification shall be submitted and signed by the Subdivision Administrator within sixty (60) days of conditional approval or other times as is required by the adopted Policies and Procedures of the Planning Department.

200.4.3.3 Denied final plat: If the Planning Board should deny the final subdivision plat, the reason for such action shall be given to the owner or his agent.

200.4.3.4 Vacation of Plat:

200.4.3.4.1 The owner of a subdivision may seek to vacate the plat or part thereof at any time before the sale of any lot by submitting an instrument of vacation and a copy of such plat for approval under this section. If a lot or lots have already been sold, all of the owners of all lots within the subdivision must join the owner of the subdivision in executing the instrument of vacation and in petitioning the County to close roads offered for dedication within the subdivision.

200.4.3.4.2 The instrument of vacation shall be recorded like a final plat of a subdivision. When duly recorded, the instrument of vacation shall destroy the force and effect of the prior recorded plat that has been vacated and shall extinguish any offer or dedication to any grounds, improvements, roads, or alleys.

Section 201 Completion of Development in Phases

201.1 A subdivision may be developed in phases provided that:

201.1.1 Each phase contains at least six (6) lots, unless shown on a phasing plan approved by the Planning Board as part of the preliminary subdivision plan; and

201.1.2 A phasing plan showing the phases of development. The requirements of this Ordinance shall be satisfied in each phase and either approved as a part of the preliminary plan or in conjunction with approvals of both the construction plat and final plat; and

201.1.3 The number of lots and amount of any required open space in the phase and any previously approved phases is at least proportional to the portion of the subdivision site area within the phase(s): and

201.1.4 The degree and extent of road, water supply, sewage disposal, storm water management, erosion and sedimentation control, and other required improvements in the phase and previously approved phases is sufficient to serve or handle all development within the phase (s).

**Appendix A-100
Certification of Exemption**

A-100.1 Certification of Exemption:

<p>Exemption Certificate</p> <p>I, _____, Subdivision Administrator (and review officer) of Vance County certify that this plat does not create a subdivision subject to the subdivision approval regulations of the Vance County Subdivision Ordinance (and that it meets all statutory requirements for recording)</p> <p>Date: _____ By: _____ Subdivision Administrator</p>
--

**Appendix
A-101
Development Information**

Name of Development: _____

A-101.1 Owner Information

<p><u>Owner Information</u> (attach copy of deed)</p> <p>Name: _____</p> <p>Address: _____</p> <p>CSZ: _____</p> <p>Phone: _____</p> <p>Fax: _____</p> <p>e-mail: _____</p>
--

A-101.2 Applicant/Agent

<p><u>Applicant/Authorized Agent</u> (attach power of Attorney)</p> <p>Name: _____</p> <p>Address: _____</p> <p>CSZ: _____</p> <p>Phone: _____</p> <p>Fax: _____</p> <p>e-mail: _____</p>
--

A-101.3 Lot Information

Lot information

Area Parent Tract: _____

Gross Area Lot 1: _____

Gross Area Lot 2: _____

Gross Area Lot 3: _____

Gross Area Lot 4: _____

Gross Area Lot 5: _____

Gross Area Lot 6: _____

Gross Area Lot 7: _____

Net Area Lot 1: _____

Net Area Lot 2: _____

Net Area Lot 3: _____

Net Area Lot 4: _____

Net Area Lot 5: _____

Net Area Lot 6: _____

Net Area Lot 7: _____

A-101.4 Road Information

<p><u>Road Information</u></p> <p>_____ Existing Private Road</p> <p>_____ New Private Road</p> <p>_____ Existing Public Road</p> <p>_____ New Public Road</p> <p>_____ Existing Private Access _____ Width</p> <p>_____ New Private Access _____ Width</p> <p>_____ Gravel _____ Paved</p> <p>_____ Road Maintenance Agreement (attached)</p> <p>_____ State Road Number</p> <p>_____ Width ROW</p> <p>_____ Posted Speed Limit</p> <p>_____ Width Travel Area</p> <p>_____ Width Shoulders</p>

A-101.5 Minor Subdivision Summary Sheet

A-101.5.1 Surveyor Information

<u>Surveyor Information</u>
Name: _____
Address: _____
CSZ: _____
Phone: _____
Fax: _____
e-mail: _____

A-101.5.2 Engineer Information

<u>Engineer Information</u>
Name: _____
Address: _____
CSZ: _____
Phone: _____
Fax: _____
e-mail: _____

A-101.5.3 Current Land Use

<u>Current Land Use</u>
_____ Vacant
_____ Agriculture
_____ Residential
_____ Single Family
_____ Site Built
_____ Modular
_____ SWMH
_____ MSMH
_____ Duplex
_____ Townhouse
_____ Multi-Family
_____ Apartments
_____ Condominium
_____ Business
_____ Church
_____ School
_____ Combined
_____ Other

A-101.5.4 Water Supply Watershed Area

<u>Water Supply Watershed Area</u> (Required buffers apply)
_____ None
_____ Tar River Water Supply Watershed (WS-IV)
_____ Anderson Creek Water S. Watershed (WS-III CA)
_____ Anderson Creek Water S. Watershed (WS-III BW)

A-101.5.6 Farm Tax Credit, CREP, or Historic Register

<u>Farm Tax Credit, CREP or Historic Register</u>
_____ Parent tract receiving Farm Tax Credit
_____ Parent tract under a CREP contract
_____ Parent tract on National Historic Register

A-101.6 Public Services

101.6.1 Fire Service

<u>Fire Service</u>
Fire District: _____
Distance to nearest Fire Hydrant: _____

101.6.2 Postal Delivery Area

<u>Postal Delivery Area</u>
Post Office: _____
Zip Code: _____

A-101.6.3 Public School System

<u>Public School System</u>
Elementary District: _____
Middle District: _____
High School District: _____

A-101.6.4 Proposed Land Use

<u>Proposed Land Use</u>
_____ Vacant
_____ Agriculture
_____ Residential
_____ Single Family
_____ Site Built
_____ Modular
_____ SWMH
_____ MSMH
_____ Duplex
_____ Townhouse
_____ Multi-Family
_____ Apartments
_____ Condominium
_____ Business
_____ Church
_____ School
_____ Combined
_____ Other

A-101.7 Utilities

A-101.7.1 Utilities to Serve Subdivision

Potable Water

_____ New _____ Existing
_____ Private Well
_____ Community Well
_____ Municipal

Sewer

_____ New _____ Existing
_____ Private Sewer
_____ Community Sewer
_____ Municipal

Solid Waste Disposal

_____ Individual _____ Municipal
_____ Community--- (Homeowner's Association)

Electrical

_____ Progress Energy _____ Wake Electric

Natural Gas

_____ Public Service

Phone

_____ Sprint

Cable

_____ Time Warner

|

Appendix A-101.8 Owner's Certification

A-101.8.1 – Private Access Easement

If the proposed subdivision makes use of a **Private Access Easement**, I hereby Certify that I understand that:

- A private access easement can be used for a maximum of four (4) lots, including the residual parent tract.
- No further subdivision or re-subdivision shall be approved with access to this private access easement after the fourth lot is created, now or at any time in the future.
- It is my responsibility to maintain the easement free of obstructions at all times.
- I am responsible for construction of a road with a twelve (12) feet with a five (5) foot shoulder at all times and in perpetuity.
- At the time I submit a subdivision request for a fifth lot (or any additional lots); this easement will be required to be widened to sixty (60) feet for its entire length.
- If I desire to create additional lots, beyond the four (4) allowed on a access easement, the alignment of the easement will be required to meet NCDOT designs specifications.
- If I desire to create any additional lots, beyond the four (4) allowed on an access easement, road construction, will be required and said construction will be required to meet NCDOT specifications in all ways, except for paving.

Owner's Certification: _____

Date: _____

A-101.8.2 - Class 2 Private Road

If the proposed subdivision makes use of a **Class 2 Private Road**, I hereby certify that I understand that:

- a class 2 private road can be used for a maximum of seven (7) lots, including the residual parent tract.
- that if I desire to create any additional lots, beyond the seven allowed on a Class 2 Private road, road construction will be required will be required to meet NCDOT specifications in all ways. If the expanded use of the road is approved as a private road, the subdivision may be exempt from paving.

I hereby certify that the information provided above accurate and complete to the best of my ability. I have read the information provided above.

Owner's Certification: _____

Date: _____

Appendix A

A-101.9

Minor Subdivision Submittal Checklist

Submittal will Include:

- 1) completed application for minor subdivision approval with all required attachments.
- 2) Review and Recording Fees paid
- 3) Seventeen (17) paper copies, drawn at a scale of one hundred (100) feet to one (1) inch*, having a minimum one and-one half border on the left side and minimum one and one-half border on the other side having a outside marginal size of either 18 inches by 24 inches or 24 by 36 inches (dependant on the size and detail of the proposed subdivision), and containing the following information and meeting all requirements of the Vance County Subdivision Ordinance **(two Mylar copies of a size 24 by 36 inches is required at the time of recording with the Vance County Register of Deeds)**

*Where size of land areas is excessive, a suitable scale is required to assure legibility, plats may be placed on two or more sheets with appropriate match lines.

Show

- _____ Name of Proposed Development
- _____ Location – township, county, state
- _____ Tax map, block and parcel number of parent tract.
- _____ Name, address, telephone number and registration number of engineer or surveyor.
- _____ Date of Preparation and subsequent revisions
- _____ Surveyor's certification including method of computation
- _____ Scale (drawn and written)
- _____ Accurate north arrow with designated reference
- _____ Vicinity map (location of major highways and state roads)

_____ Show bearings and distances (feet and decimal) for the boundaries of all lots including the parent parcel. (For large parent parcels, a survey of the entire tract is not required. An applicant may use existing survey data of record or a recorded deed description as the source of information.

- _____ Show all required setback lines.
- _____ The calculated area of each lot in square feet and/or acres (gross & net)
- _____ Tie to state coordinate system shall be shown if within the required distance (with x and y coordinated and datum) or tie to known roadway intersection.

- _____ Location of the control corner or corners as required by statute.
- _____ 10 foot elevation contours (USGS quads 2-4 lots, surveyed 5-7 lots) (USGS quads may be used for approximate elevation locations for 2-4 lots, except in floodplain or if slopes exceed 20%)

2-4 lots
(optional)

5-7 lots Preliminary Soil Evaluation and Mapping
(required)

- _____ Submit copy of proposed or approved erosion and sedimentation plan (if applicable).
- _____ Show existing (public and private) road right-of-ways with road names and route numbers, and right-of-way widths on the parent and adjoining tracts of land.
- _____ Show proposed (public or private) road right-of-ways with proposed road names, right-of-way width, bearing and distances along centerline of all proposed roads
- _____ Show calculated area of right-of-ways, easements or areas used for other purposes.
- _____ Show the location of all existing and proposed driveways, street connections on the proposed and adjoining tracts.
- _____ Show the location of all state, county, municipal, township, ETJ boundaries within two hundred feet.
- _____ Show the location of all building, septic systems or wells within 100 feet of any lot line.
- _____ Show all existing or proposed easements, existing utility structures, line, boxes, and towers.
- _____ Show the location of all public water or sewer lines within 300 feet of the development
- _____ Show the source of water, method of sewage disposal and solid waste disposal.
- _____ Underground utilities statement
- _____ Other topographical features such as railroads, water bodies, etc.
- _____ Show Name of adjoining property owners, tax parcel number, subdivision designation or deed book/page reference.
- _____ Show Location of special flood hazard areas and required information (if applicable)
- _____ Show Location of watershed boundary and required buffers (if applicable)

Appendix B
B-201
Road Disclosure

B-201.1

Road Disclosure – Public Road Certification

B-201.2

Roads Construction Certification

Use when public roads are to be built and dedicated (if the development proposes both private and public roads within the development, list the road names which apply within the certification statement)

B-201.2.1

**Road Disclosure
Public Roads Certification**

I (we) hereby certify that all roads shown on this plat have been designated as public roads, that the right-of-way and design of the road has been approved by the Division of Highways, North Carolina Department of Transportation and that the road has been or will be constructed in accordance with the Vance County Subdivision Ordinance and the standards for subdivision streets adopted by the Board of Transportation for acceptance on the highway system.

Owner(s)

Date

B-201.3

DOT/DOH Road Construction

B-201.3.1

ROADS CONSTRUCTION CERTIFICATION
DEPARTMENT OF TRANSPORTATION, DIVISION OF
HIGHWAYS:

Proposed Subdivision Road Construction Standard Certification: A certificate of approval issued by the district engineer of the Division of Highways of the NC Department of Transportation for any new street designated as public on the plat or map.

District Engineer

Date

B-201.2.2

**Road Disclosure
Private Roads Certificate**

The grantor(s) hereby give notice as required by North Carolina General Statutes and the Vance County Subdivision Ordinance that that all roads shown on this plat have been designated as a private roads and that the roads will not be included on the State highway system for maintenance. (The name of Homeowner's Association) shall have the responsibility for the maintenance of the road in perpetuity. No local or state governmental agency will be responsible for the development, maintenance, supervision, or control of said streets and roadways. The parties to this deed will hold harmless local and state governmental agencies from any liability or expense concerning road standards and maintenance within the above described subdivision serving the property herein described and within the subdivision and this is a covenant which runs with the land. Grantors certify that there are no underground storage tanks or hazardous materials located within the area designated for roads, or streets within the subdivision, and if such items are found, Grantors shall be financially responsible for removal and disposal thereof.

Owner(s)

Date

B-201.4
Certificate of Approval

B-201.4.1
Certification Of Approval Of Required
Improvements, Final Approval and or
Recording

I hereby certify that all required improvements have been installed in an acceptable manner and according to Vance County specifications and standards in the Subdivision or that a security bond or irrevocable letter of credit has been posted with Vance County to insure installation thereof, and that the filing fee for this plat has been paid.

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Vance County, has been approved by the Vance County Planning Board and that this map has been approved for recording in the Office of the Register of Deeds.

Subdivision Administrator Date

B-201.5
Review Officer Certification

B201.5.1
State of North Carolina
County of Vance

I, _____,
Review officer of Vance County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Vance County Review Officer Date

Appendix C
C-100

Major Subdivision Submittal

Checklist C-101 Application/Development Plan:

- Date of application and date of survey/plat.
- Property owner name, address and phone number.
- Tax map, block and parcel number.
- A boundary of the property to be developed.
- Total acreage in the development.
- Vicinity map showing the location of the development in relation to major highways and state roads.
- Location of proposed entrances and street locations.
- Proposed number and size of lots.
- Location of any proposed common areas or structures.
- Name of proposed subdivision.
- Developer name, address and phone number
- Surveyor name, address, phone number and license/certification number
- Scale (drawn & written).
- Accurate North arrow with designated reference.
- Township, County, State

C-102 Existing Conditions:

- Show bearings and distance for boundaries of all lots including parent parcel
- Ties to State Coordinate System shall be shown if within the required distance or tie to known roadway intersection with bearings and distances.
- Location of the control corner(s), permanent marker(s) with adequate description to enable to surveyor to locate such control corner or marker.
- The calculated gross and net area of the site. Road right-of-ways or areas used for other purposes shall be calculated separately.
- The location of any state county, municipal or extra territorial jurisdictional (ETJ) boundaries within two-hundred (200) feet.
- Names of adjoining property owners and tax parcel number, subdivision designation or deed book/page references and present use of the adjoining property. Zoning classification for parcel and adjoining properties, if such exists.
- Location of areas of inundation, special flood hazard areas boundaries within one-hundred (100) feet if applicable.
- Location of watershed boundary within one-hundred (100) feet if applicable.
- Existing railroads, easements, right-of-way within one-hundred (100) feet if applicable.
- Existing driveways and entrances
- Water courses, creeks, ponds, lakes, rock outcroppings, and any required watershed buffers.
- Location of groupings of existing shrubs, and trees, generally.
- Location of all existing fire hydrants, public water lines, public sewer lines within three-hundred (300) feet of property.
- Preliminary soils report prepared by a registered soil scientist, including location on wetlands and hydric soils.
- Land contours with vertical intervals of not less that two (2) feet for lots under one acre, not less than five (5).
- Copy of existing deed restrictions.

C-103 Proposed Conditions

- Proposed lots (location, dimension and net area).
- Proposed easements, road right-of-ways (existing road names, rout numbers, proposed street names, designate public or private, driveways and entrances.
- The linear feet in roads
- The acreage in nonresidential uses, including, off-street parking, loading and service areas, including location and dimension (if applicable)
- Show street connections to adjoining platted tract.
- Location of boundary or entrance fences, wall, etc.(if applicable)
- Name, address and telephone number of the utility companies serving the project.
- Any proposed connections to utility system for gas, electrical power, cable, telephone, water system, sewage disposal system, fire hydrants and street lights (may be on separate plan)
- Proposed method of solid wastes disposal.
- Proposed method of sewage waste disposal.
- Proposed source of water.
- Proposed general location of landscape areas (if applicable).
- Draft of all proposed agreements, conveyances, restrictions, and covenants which will govern the ownership, use, maintenance, and continued protection of the roads, utilities, open space, and other improvements. (If any).
- The location and the width of any existing or required watershed buffers.
- The location and the width of any existing or required watershed buffers,
- The boundaries, area, and intended general use of common areas or open space parcels. (if any).
- Service Buildings (if applicable)
- Phase lines, if construction is to be completed in phases.

C-104 Certifications:

- Owner's Certification
- Surveyor's Certification including method of computation.
- Road Disclosure
- NCDOT Certifications (Public Roads)
- Flood plain Certification. (if applicable)
- Watershed Certification (if applicable)
- Public Water Supply and Sewage Disposal Dedication (if applicable)
- Approval Certification
- Review Officer's Certifications.

C-201
Fees & Reviews

Planning Policy & Procedures:

400.0 Applications:

400.1 Payment Policy: Payment of fees and penalties shall be consistent with section 1.1 of this document.

400.1.1 Applications for development permits shall comply with section 1.2.1 of this document and shall include an official plat containing the following information.

- 1) Lot dimensions, address, buildings, setbacks, driveways, topographical features and elevations.
- 2) Location of any existing wells, septic systems, streams & ponds.
- 3) Location of any designated watershed if applicable.
- 4) Location of any designated Floodplain if applicable.
- 5) Property fronting on Kerr Lake must show location of 320' flood pool elevation.
- 6) Physical location of property.

400.1.2 Information establishing intended use of property, time line, road construction and other factors pertinent to the development.

400.1.3 Submit preliminary applications with the required number and types of copies required for processing.

400.2 Review & Action:

400.2.1 Applications and required supporting documentation must be submitted no less than eight (8) working days (or lesser time if deemed appropriate by director) prior to regular scheduled meeting date of the Technical Review Committee.

Applications, along with Technical Review Committee recommendations, will be forwarded to Planning Board at the next scheduled meeting or eight (8) working days after TRC review, whichever is greater.

Applications will be reviewed by the Technical Review Committee, via regular scheduled meeting or submitted comments when regular meeting is not required, along with recommendation to the Planning Board for approval and final disposition or rejected and returned to applicant for additional information, correction of deficiencies or re-submittal.

Applications forwarded to Planning Board shall be disposed of consistent with the requirements on the Vance County Subdivision ordinance.

400.3 Issuance of Permits:

400.3.1 Following approval by the Planning Board, Development Permits shall be issued as required consistent with the requirements of the Vance County Subdivision Ordinance and other legal requirements by state and local regulations. Issuance of development permits shall incur fee cost as set by this policy.

400.3.2 Development Permits, under the jurisdiction of the County of Vance, must be issued prior to issuance of health or building permits where:

- a. New Construction or additions require that footprint of the building is enlarged or the impervious area is increased.
- b. Building Height is increased.
- c. Primary use or occupancy of the building is changed.
- d. Changes are made that result in an increase in the requirements for sanitation and/or safety.
- e. Structure(s) and/or property is located in an established Flood Plain.
- f. Structure(s) and/or property is located in an established watershed.

400.4 Inspections:

400.4.1 Inspections consistent with the requirements of the Vance County codes, ordinances and other applicable regulations shall be made by the Vance County Planning/Code Enforcement offices as necessary to assure compliance.

400.4.2 Final Inspections, consistent with the requirements of the applicable codes, ordinances or other applicable regulations, shall be made and approved prior to the issuance of certificates of compliance and occupancy except that conditional compliance and/or occupancy certificates may be issued when deemed appropriate by the Director of Planning. Where weather or other conditions necessitate a delay in full compliance, the Director of Planning may approve the posting of a cash bond equal to the cost of compliance when the conditions do not compromise the safety and well being of the structures and/or occupants of the building. Full compliance must be obtained within a time frame not to exceed 180 days or a lesser time as is set by the Director of Planning.

400.5 Planning & TRC Meetings:

400.5.1 The Vance County Planning Board will meet on the second Tuesday of each month and on the fourth Tuesday of each month when determined necessary, at the designated time and place (consistent with the annual published schedule of meetings). If conditions are such that a meeting is not necessary or conflicts with a legal holiday, the meeting may be changed or cancelled as agreed upon by the Chairperson of the Planning Board and the Director of Planning. Except in emergency or reasons beyond our control, such change or cancellation shall be made in sufficient time to post the change or cancellation 48 hrs prior to the regular scheduled meeting.

400.5.2 The Vance County Planning Department Technical Review Committee will meet as necessary on the first Tuesday of each month and on the third Tuesday of each month, when determined necessary, at the designated time and place set by the Director of Planning. When the business at hand is such that it does not require a meeting (consistent with the requirements of the Vance County Subdivision Ordinance), the members of the technical review committee may submit comments, concerns or deficiencies by writing, fax or e-mail to the Director of Planning. Otherwise all such comments, concerns or deficiencies must be submitted no later than 5:00 pm the day before the scheduled meeting of the Planning Board.

400.5.3 An annual calendar of scheduled meetings, times and places shall be proposed and approved by the Vance County Planning Board and the Director of Planning.

Note: If a quorum of members is not present, review of the submitted project may continue. However, a vote of approval must be delayed until a quorum is present.

Section 500 Planning Fees:

Zoning Permit Fees

➤ Single Family, Two Family Dwelling or Manufactured Home	\$60.00	
➤ Multi-Family Dwelling	\$65.00	+ \$65.00 per add. building
➤ Commercial/Industrial/Business	\$75.00	+ \$65.00 per add. building
➤ Perk Test Only Permit	\$25.00	
➤ Conditional Use Permit	\$250.00	
➤ Rezoning Petition	\$250.00	
➤ Variance	\$250.00	
➤ Board of Adjustment Appeal	\$150.00	
➤ Ordinance Amendment	\$200.00	
➤ Telecommunication Tower Permit	\$5000.00	(\$2000 if colocation)
➤ Sign Permit	\$40.00	

Review Fees

➤ Certificate of Exemption	\$30.00	
➤ Minor Subdivision Plan Review (2-7 Lots)	\$175.00	
➤ Major Subdivision Preliminary Plan Review (8-20)	\$200.00	+ \$10 per lot 8-20
➤ Major Subdivision Preliminary Plan Review (21-50)	\$200.00	+ \$8 per lot 21-50
➤ Major Subdivision Preliminary Plan Review (51-250)	\$200.00	+ \$6 per lot 21-250
➤ Major Subdivision Final Plan Review (8-20)	\$150.00	+ \$10 per lot 8-20
➤ Major Subdivision Final Plan Review (21-50)	\$150.00	+ \$8 per lot 21-50
➤ Major Subdivision Final Plan Review (51-250)	\$150.00	+ \$6 per lot 51-250
➤ Private Road Construction Plan Review	\$50.00	+ \$65.00 Consultant fee per hour
➤ Street Naming Sign 2-bladed	\$100.00	per ea.
➤ Street Naming Sign 4-bladed	\$150.00	per ea.
➤ Street Naming Sign 6-bladed	\$200.00	per ea.

Watershed Protection/Floodplain

➤ Single Family, Two Family Dwelling or Manufactured Home	\$60.00	
➤ Multi-Family Dwelling	\$125.00	+ \$65.00 per building
➤ Commercial/Industrial/Business	\$125.00	+ \$65.00 per building