

Town of Coats

SUBDIVISION REGULATIONS

Adopted February 14, 1991

Re-adopted June 10, 2021 in accordance with G.S. 160D

Recommended by the Town of Coats Planning Board on May 6, 2021

Prepared by the North Carolina Department of Natural Resources and Community Development

– Division of Community Assistance

Amended by N-Focus, Inc. for Re-adoption in 2021

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ARTICLE I. INTRODUCTORY PROVISIONS

Section 101. Title

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

Section 102. Purpose

The purpose of this ordinance is to establish procedures and standards for the development and subdivision of land within the territorial jurisdiction of Town of Coats. It is further designed to provide for the orderly growth and development of the Town; for the coordination of streets and highways and with other public facilities; for the dedications or reservations of recreation areas serving residents of the immediate neighborhood within the subdivision and rights-of-way or easements for street and utility purposes; and for the distribution of population and traffic in a manner that will avoid congestion and overcrowding and will create conditions essential to public health, safety and the general welfare. This ordinance is designed to further facilitate adequate provision of water, sewerage, parks, schools, and playgrounds, and also to facilitate the further re-subdivision of larger tracts into smaller parcels of land.

Section 103. Authority

This ordinance is hereby adopted under the authority and provision of the General Statutes of North Carolina, Chapter 160D, Article 8.

Section 104. Jurisdiction

The regulations contained herein, as provided in G. S. 160D, Article 2 shall govern each and every subdivision within the Town of Coats and its extraterritorial planning area.

Section 105. Prerequisite to Plat Recordation

After the effective date of this ordinance, the Coats Town Planning Board shall first review the requisite preliminary plat for all Major Subdivisions per Article III of this Ordinance. Upon determination all applicable standards of this Ordinance, and the lot size and frontage criteria required by the Zoning Ordinance of the Town of Coats are met, approve each individual major subdivision plat of land within the Town's jurisdiction.

Section 106. Thoroughfare Plans

When a proposed subdivision includes any part of a thoroughfare which has been designated as such upon the officially adopted thoroughfare plan of the Town, such part of such thoroughfare shall be platted by the subdivider in the location shown on the plan and at the width specified in this ordinance.

Section 107. School Sites on Land Use Plan

If the Coats Town Board of Commissioners and Board of Education have jointly determined the specific location and size of any school sites to be reserved and this information appears in the comprehensive land use plan, the Planning Board shall immediately notify the Board of Education whenever a sketch plan for a subdivision is submitted which includes all or part of a school site to be reserved. The Board of Education shall promptly decide whether it still wishes the site to be reserved. If the Board of Education does not wish to reserve the site, it shall so notify the Planning Board. If the Board of Education has not purchased or begun proceedings to condemn the site within eighteen (18) months, the subdivider may treat the land as freed of the reservation.

Section 108. Zoning and Other Plans

Similarly, proposed subdivisions must comply in all respects with the requirements of the zoning ordinance in effect in the area to be subdivided, and any other officially adopted plans.

ARTICLE II. LEGAL PROVISIONS

Section 201. General Procedure for Plat Approval

After the effective date of this ordinance, no subdivision plat of land within the Town's jurisdiction shall be filed or recorded until it has been submitted to and approved by the Town Planning Board as set forth in Section 105 of this ordinance, and until this approval is entered in writing on the face of the plat by the Chairman of the Planning Board and by the Town Clerk.

The Harnett County Register of Deeds shall not file or record a plat of a subdivision of land located within the territorial jurisdiction of the Town of Coats that has not been approved in accordance with these provisions, nor shall the Clerk of Superior Court order or direct the recording of a plat if the recording would be in conflict with this section.

Section 202. Statement by Owner

The owner of land shown on a subdivision plat submitted for recording, or their authorized agent, shall sign a statement on the plat stating whether or not any land shown thereon is within the subdivision regulation jurisdiction of Town of Coats, North Carolina.

Section 203. Effect of Plat Approval on Dedications

Pursuant to G. S. 160D-806, the approval of a plat does not constitute or effect the acceptance by the Town or public of the dedication of any street or other ground, public utility line, or other public facility shown of the plat and shall not be construed to do so.

Section 204. Penalties for Violation

204.1 After the effective date of this ordinance, any person who, being the owner or agent of any land located within the territorial jurisdiction of this ordinance, thereafter subdivides their land in violation of this ordinance or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under the terms of this Ordinance and recorded in the Office of the Harnett County Register of Deeds, shall be guilty of a misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The Town through its attorney or other official designated by the Town Board may enjoin illegal subdivision, transfer or sale of land by action for injunction. Further, violators of this ordinance shall be subject, upon conviction, to fine and/or imprisonment as provided by G. S. 14-4.

204.2 The violation of any provision of this ordinance shall subject the offender to a civil penalty in the amount of \$50.00 to be recovered by the Town. Violators shall be issued a written citation that must be paid within ten (10) days.

204.3 Each day's continuing violation of this ordinance shall be a separate and distinct offense.

204.4 Notwithstanding Subsection 204.2 above, this ordinance may be enforced by appropriate equitable remedies issuing from a court of competent jurisdiction.

204.5 Nothing in this section shall be construed to limit the use of remedies available to the Town. The Town may seek to enforce this ordinance by using any one, all, or a combination of remedies.

Section 205. Separability

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

Section 206. Variances

The Coats Town Board of Adjustment may grant a variance from these regulations when, in its findings, undue hardship may result from strict compliance. In granting any variance, the Board of Adjustment shall follow the process set forth in Section 3.5 of the Zoning Ordinance of the Town of Coats and make the findings required below, taking into account the nature of the proposed subdivision, the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be granted unless the Board of Adjustment finds all four of the following conditions to exist:

- a) That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of their land.
- b) That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
- c) That the circumstances giving rise to the need for the variance are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this ordinance.
- d) That the granting of the variance will not be detrimental to the public health, safety and welfare or injurious to other property in the territory in which said property is situated.

Section 207. Amendments

The Town Board may from time-to-time amend the terms of this ordinance but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation. If the Planning Board fails to submit a report within the specified time, it shall be deemed to have recommended approval of the amendment.

The governing body shall adopt no amendment until they have held a public hearing on the amendment. Notice of the hearing shall be published in a newspaper of general circulation in the Town of Coats at least once a week for two (2) successive calendar weeks prior to the hearing. The initial notice shall appear neither more than twenty-five (25) nor less than ten (10) days prior to the hearing date. In computing the ten (10) – twenty-five (25) day period, the date of publication is not to be counted, but the date of the hearing is.

Section 208. Abrogation

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

Section 209. Effective Date

This ordinance in its original form became effective and in force from and after February 21, 1991. By virtue of re-adoption on June __, 2021 this ordinance is hereby amended and shall continue in full effect from and after the date of its initial adoption.

Section 210. Adoption

Duly adopted by the Town of Coats, North Carolina Board of Commissioners the 14th day of February, 1991 and amended this the ___ day of June, 2021.

Mayor

Clerk

Section 211. Administrator

This ordinance shall be administered and enforced by an Subdivision Administrator or their designated representative. The Subdivision Administrator, who shall be appointed by the Town Board, is hereby authorized to administer and interpret the provisions of this Ordinance in accordance with G.S. 160D-402.

A. Conflict of Interest. Administrative staff, including the Subdivision Administrator and any person designated as their representative, shall not make a final decision on an administrative decision required by this Ordinance if the outcome of that decision would have a direct, substantial, and readily identifiable impact on the staff member or if the applicant or other person subject to that decision is a person with whom the member has a close familial, business, or other associational relationship per G.S. 160D-109(c).

B. Oath of Office. The person designated as the Subdivision Administrator and any person designated as their representative, shall take and subscribe the oath of office prescribed in Article VI, § 7 of the Constitution as stipulated in G.S.160A-61.

Section 212. Gift Lots

For the purpose of interpreting these regulations, when a parent makes a one time gift to their child of a parcel of land divided from the parent's property, the transaction shall not be deemed for the purpose of sale or building development. The resulting transaction shall therefore not be subject to any regulations enacted pursuant to this ordinance.

Section 213. Determination and certification of exemption.

The determination of whether a division of land is exempt from the definition of subdivision shall be made by the Subdivision Administrator, upon application of the property owner or agent, with supporting documentation (maps, plats, etc.), as needed. Upon a determination by the Subdivision Administrator that the proposed subdivision is exempt, a certificate of exemption shall be issued, and the subdivision shall not be subject to the Town's subdivision regulations.

Section 214. Effect of certification of exemption.

Divisions of land found to be exempt from the definition of subdivision are not required to meet the Town's subdivision regulations. However, a building or zoning permit may only be issued with respect to a lot that has been created by an exempt division if said lot meets the standards for development set forth elsewhere in this Ordinance. Where a regulation is contained both in this article and elsewhere in this Ordinance, although the regulation need not be met prior to property division and recordation, the lot in question must comply with said regulation before either a zoning or building permit may be issued for the property.

Section 215. Platting Required.

A subdivision plat meeting the requirements of G.S. 47-30 shall be prepared for all exempt subdivisions. The plat shall identify the subdivision as being exempt from the requirements of this ordinance and shall be submitted to the Subdivision Administrator for review. Following their review of the subdivision plat, the Subdivision Administrator shall sign it and provide a copy to the applicant. The signed plat shall be recorded by the applicant in the office of the Register of Deeds of Harnett County within thirty (30) days of being signed by the Subdivision Administrator.

ARTICLE III. PROCEDURE FOR REVIEW AND APPROVAL OF SUBDIVISION PLATS

Section 301. Plat Shall Be Required on Any Subdivision of Land

Pursuant to G. S. 160D, Article 8, a final plat shall be prepared, approved, and recorded pursuant to the provisions of this ordinance whenever any subdivision of land takes place.

Section 302. Approval Prerequisite to Plat Recordation

Pursuant to G. S. 160D-804, no final plat of a subdivision within the jurisdiction of the Town of Coats as established in Section 104 of this ordinance shall be recorded by the Register of Deeds of Harnett County until it has been approved as provided herein. To secure such approval of a final plat, the subdivider shall follow the procedures established in this article.

Section 303. Procedures for Review of Major and Minor Subdivision

All subdivisions shall be considered major subdivisions except those defined as minor subdivisions in this Section. Major subdivisions shall be reviewed in accordance with the procedures in Section 305 through 307. Minor subdivisions shall be reviewed in accordance with the provisions in Section 304. However, if the subdivider owns, leases, holds an option on, or holds any legal or equitable interest in any property adjacent to or located directly across a street, easement, road or right-of-way from the property to be subdivided, the subdivision shall not qualify under the abbreviated procedure. The abbreviated procedure may not be used a second time within three (3) years on any property less than fifteen hundred (1500) feet from the original property boundaries by anyone who owned, had an option on, or any legal interest in the original subdivision at the time the subdivision received preliminary or final plat approval. Furthermore, the abbreviated procedure may not be used within three (3) years on any property less than fifteen hundred (1500) feet from the original property boundaries by any subsequent owner, individual having an option on, or individual having any legal interest in the original subdivision at the time the subdivision received preliminary or final plat approval.

Section 304. Procedure for Review of Minor Subdivision

304.1 Sketch Plan For Minor Subdivision

Prior to submission of a final plat, the subdivider shall submit to the town clerk two (2) copies of a sketch plan of the proposed subdivision containing the following information:

- a) A sketch vicinity map showing the location of the subdivision in relation to neighboring tracts, subdivisions, roads, and waterways;
- b) The boundaries of the tract and the portion of the tract to be subdivided;

- c) The total acreage to be subdivided;
- d) The existing and proposed uses of the land within the subdivision and the existing uses of land adjoining it;
- e) The existing street layout and right-of-way width, lot layout and size of lots;
- f) The name, address and telephone number of the owner;
- g) The name, if any, of the proposed subdivision;
- h) Streets and lots of adjacent developed or plated properties;
- i) The zoning classification of the tract and of adjacent properties;
- j) A statement from the Harnett County Health Department that a copy of the sketch plan has been submitted to them, if a septic tank system or other onsite water or wastewater systems are to be used in the subdivision.
- k) Each plat shall identify the location of an approved wastewater system and if an on-site wastewater system, then identify the location of the repair field and/or area. Plats shall identify off-site wastewater system locations and show easements where any portion of said off-site wastewater system and/or utility line providing service to the lot extends over any portion of a lot other than the lot for which said off-site wastewater system and/or utility serves. Plats representing locations of on-site and/or off-site wastewater system, utility line and requisite repair areas shall be submitted with all Exempt, Minor Subdivision and Major Subdivision Preliminary Plats and appear on all Final Plats approved for recording in the Harnett County Register of Deeds.

The town clerk shall forward the sketch plan to the Subdivision Administrator who shall review it for general compliance with the requirements of this ordinance and the zoning ordinance; the Subdivision Administrator shall advise the subdivider or their authorized agent of the regulations pertaining to the proposed subdivision and the procedures to be followed in the preparation and submission of the final plat.

One (1) copy of the sketch plan shall be retained by the Subdivision Administrator, and one (1) copy shall be returned to the subdivider or their authorized agent.

304.2 Final Plat for Minor Subdivisions. Upon approval of the sketch plan by the Subdivision Administrator the subdivider may proceed with the preparation of the final plat in accordance with the requirements of this ordinance.

The subdivider shall submit the final plat so marked, to the town clerk who shall forward it for review.

The final plat shall be prepared by a Registered Land Surveyor currently licensed and registered in the State of North Carolina by the North Carolina State Board of Registration for professional Engineers and Land Surveyors. The final plat shall conform to the provisions for plats, subdivisions, and mapping requirements set forth in G. S. 47-30 and the Manual of Practice for Land Surveying in North Carolina.

Five (5) copies of the final plat shall be submitted, two (2) of these shall be on reproducible material; three (3) shall be black or blue line paper prints. Material and drawing medium for the original shall be in accordance with the Manual of Practice for Land Surveying in North Carolina, where applicable, and the requirements of the Harnett County Register of Deeds.

The final plat shall be of a size suitable for recording with the Harnett County Register of Deeds and shall be at a scale of not less than one (1) inch equals two hundred (200) feet. Maps may be placed on more than one sheet with appropriate match lines.

Submission of the final plat shall be accompanied by a filing fee of \$25.00 and acreage fees (when applicable) as required in Section 307.3 of this ordinance.

The final plat shall meet the specifications in Section 308 of this ordinance.

The following signed certificates shall appear on all five (5) copies of the final plat.

a) Certificate of Ownership and Dedication

I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the Town of Coats and that I hereby adopt this plan of subdivision with my free consent and establish minimum building setback lines as noted.

Date

Owner

b) Certificate of Survey and Accuracy

In accordance with the Manual of Practice for Land Surveying in North Carolina:

On the face of each map prepared for recordation there shall appear a certificate acknowledged before an officer authorized to take acknowledgements and executed by the person making the survey or map including deeds and any recorded data shown thereon. The certificate shall include a statement of error of closure calculated by latitudes and departures. Any lines on the map which were not actually surveyed must be clearly indicated on the map and a statement included in the certificate revealing the source of information.

The certificate shall take the following general form:

State of North Carolina

Town of Coats

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

Witness my hand and seal this _____ day of _____, _____.

Official Seal

Registered Land Surveyor

Registration Number

I (officer authorized to take acknowledgements), do hereby certify that _____ (name of registered surveyor) personally appeared before me this day and acknowledged the due execution of this certificate. Witness my hand and (where an official seal is required by law) official seal this the _____ day of _____ (year).

Official Seal

Notary Public

Following the review by the Subdivision Administrator, the final plat shall be reviewed by the Planning Board at or before its next regularly scheduled meeting which follows at least fifteen (15) days after the Planning Board receives the final plat and shall approve, or disapprove the final plat with reason within fifteen (15) days.

During the review of the final plat the Planning Board may appoint an engineer or surveyor to confirm the accuracy of the final plat (if agreed to by the Town Board of Commissioners). If substantial errors are found, the costs shall be charged to the subdivider and the plat shall not be recommended for approval until such errors have been corrected.

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

Certificate of Approval for Recording

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Town of Coats, North Carolina and that this plat has been approved for recording in the Office of the Register of Deeds of Harnett County.

Chairman of Planning Board

Date

Coats, North Carolina

If the final plat is disapproved by the Planning Board, the reasons for such disapproval shall be stated in writing, specifying the provisions of this Ordinance with which the final plat does not comply. One (1) copy of such reasons and one (1) print of the plat shall be retained by the Planning Board as part of the records; one (1) copy of the reasons and three (3) copies of the plat shall be transmitted to the subdivider. If the final plat is disapproved, the subdivider may make such changes as will bring the final plat into compliance and resubmit same for reconsideration by the Planning Board, or appeal the decision to the Coats Town Board of Commissioners.

If the final plat is approved by the Planning Board, the original tracing and one (1) print of the plat shall be retained by the subdivider. One (1) reproducible tracing and one (1) print shall be filed with the Town Clerk, and one (1) print shall be retained by the Subdivision Administrator for the records.

The subdivider shall file the approved final plat with the Register of Deeds of Harnett County within thirty (30) days of the approval; otherwise such approval will be null and void.

Section 305. Sketch Plan for Major Subdivisions

305.1 Number of Copies and Contents

Prior to the preliminary plat submission, the subdivider shall submit to the Town Clerk two (2) copies of a sketch plan of the proposed subdivision containing the following information:

- a) A sketch vicinity map showing the location of the subdivision in relation to neighboring tracts, subdivisions, roads, and waterways;
- b) The boundaries of the tract and the portion of the tract to be subdivided;
- c) The total acreage to be subdivided;
- d) The existing and proposed uses of the land within the subdivision and the existing uses of land adjoining it;
- e) The proposed street layout with approximate pavement and right-of-way width, lot layout and size of lots;

- f) The name, address, and telephone number of the owner
- g) The name, if any, of the proposed subdivision;
- h) Streets and lots of adjacent developed or plated properties;
- i) The zoning classification of the tract and of adjacent properties;
- j) A statement from the Harnett County Health Department that a copy of the sketch plan has been submitted to them, if a septic tank system or other onsite water or wastewater systems are to be used in the subdivision.
- k) Each plat shall identify the location of an approved wastewater system and if an on-site wastewater system, then identify the location of the repair field and/or area. Plats shall identify off-site wastewater system locations and show easements where any portion of said off-site wastewater system and/or utility line providing service to the lot extends over any portion of a lot other than the lot for which said off-site wastewater system and/or utility serves. Plats representing locations of on-site and/or off-site wastewater system, utility line and requisite repair areas shall be submitted with all Exempt, Minor Subdivision and Major Subdivision Preliminary Plats and appear on all Final Plats approved for recording in the Harnett County Register of Deeds.

305.2 Submission and Review Procedure

The town clerk shall forward the sketch plan to the Subdivision Administrator who shall review it for general compliance with the requirements of this ordinance and the zoning ordinance; the Subdivision Administrator shall advise the subdivider or their authorized agent of the regulations pertaining to the proposed subdivision and the procedures to be followed in the preparation and submission of the preliminary and final plats.

One (1) copy of the sketch plan shall be retained by the Subdivision Administrator and one (1) copy shall be returned to the subdivider or their authorized agent.

Section 306. Preliminary Plat Submission and Review

306.1 Submission Procedure

For every subdivision within the territorial jurisdiction established by Section 104 of this ordinance, which does not qualify for the abbreviated procedure, the subdivider shall submit a preliminary plat which shall be approved by the Planning Board before any construction or installation of improvements may begin.

Four (4) copies of the preliminary plat (as well as any additional copies which the

Planning Board determines are needed to be sent to other agencies) shall be submitted to the town clerk at least fifteen (15) days prior to the Planning Board meeting at which the subdivider desires the Planning Board to review the preliminary plat. The Town Clerk shall forward the preliminary plat to the Subdivision Administrator who shall review it and present it to the Planning Board.

Preliminary plats shall meet the specifications in Section 308.

306.2 Review By Other Agencies

Concurrent with submission of the preliminary plat to the Town Clerk, the subdivider shall submit copies of the preliminary plat and any accompanying material to other officials and agencies concerned with new development including but not limited to: the district highway engineer as to proposed streets, highways, and drainage systems; the Harnett County Health Director as to proposed water and sewerage systems; the North Carolina Department of Natural Resources and Community Development Land Quality Section as to the erosion control requirements; and any other agency or official designated by the Planning Board for review and recommendation. The Subdivision Administrator will advise the subdivider concerning which agencies are applicable for a given plat.

306.3 Review Procedure

The Planning Board shall review the preliminary plat during and/or before its next regularly scheduled meeting, which follows at least fifteen (15) days after the Planning Board receives the preliminary plat and the comments from the appropriate agencies.

The Planning Board shall, in writing, either approve, approve with corrections identified to bring the preliminary plat into compliance, or disapprove with reasons stated in writing within forty (40) days of its first consideration of the plat.

If the Planning Board approves the preliminary plat, such approval shall be noted on two (2) copies of the plat. One (1) copy of the plat shall be retained by the Subdivision Administrator and one (1) copy shall be returned to the subdivider. If the Planning Board approves the preliminary plat subject to corrections, approval shall be noted on two (2) copies of the plat along with a reference to the corrections. One (1) copy of the plat along with the corrections duly noted thereon shall be retained by the Subdivision Administrator and one (1) returned to the subdivider. If the Planning Board disapproves the preliminary plat, the reasons for such disapproval shall be specified in writing. One (1) copy of the preliminary plat and the reasons shall be retained by the Subdivision Administrator and one (1) copy shall be returned to the subdivider.

If the preliminary plat is disapproved, the subdivider may make the recommended changes and submit a revised preliminary plat, or appeal the decision to the Superior Court of Harnett County in accordance with G.S. 160D-1403.

Permit validity. Approval of the *Preliminary Plat/Plan for Major Subdivisions* authorized by G.S. 160D-403 for subdivision developments shall run with the land and constitute approval of a site-specific vesting plan in accordance with G.S. 160D-108(d) and be valid for

two (2) years from the date of approval unless a greater timeframe is authorized by G.S. 160D-108. The Planning Board may grant a single extension of this time period of up to three (3) years upon submittal by the applicant of sufficient justification for the extension. The *Final Plat* for the *Major Subdivision* shall be presented for approval prior to the end of the period. Failure to submit construction plans, initiate construction, or otherwise begin the permitted use, within this time shall render the *Preliminary Plat/Plan* approval void. Multi-phased development of subdivisions containing 25 acres or more remains vested for a period of seven (7) years from the time a site plan approval is granted as authorized in G.S. 160D-108(f).

Section 307. Final Plat Submission and Review

307.1 Preparation of Final Plat and Installation of Improvements

Upon approval of the preliminary plat by the Planning Board, the subdivider may proceed with the preparation of the final plat, and the installation of or arrangement for required improvements in accordance with the approved preliminary plat and the requirements for this ordinance. Prior to approval of a final plat, the subdivider shall have either completed installation of the improvements specified in this ordinance or guaranteed their installation as provided herein. No final plat will be accepted for review by the Planning Board unless accompanied by written notice by the Town Clerk acknowledging compliance with the improvement and guarantee standards of this ordinance. The final plat shall constitute only that portion of the preliminary plat which the subdivider proposes to record and develop at that time; such portion shall conform to all requirements of this ordinance.

307.2 Performance Guarantee for Installation of Required Improvements.

In lieu of requiring the completion, installation, and dedication of all improvements prior to final plat approval the Coats Town Board may enter into a development agreement in accordance with Article 10 of G.S. 160D with the subdivider whereby the subdivider shall agree to complete all required improvements following final plat recordation. Once said agreement is signed by both parties and the security required herein is provided, the final plat may be approved by the Planning Board, if all other applicable requirements of this ordinance are met.

1. Guarantee in lieu of construction of improvements. In lieu of completion of construction of the required improvements and utilities prior to final plat approval, the property owner may provide a performance guarantee in accordance with G.S. 160D-804.1. The performance guarantee shall be in an amount equal to 125% of the estimated cost of the installation of the required improvements, as determined by the Town. The performance guarantee shall secure the completion of construction of the improvements shown on the approved preliminary plat and as detailed within the approved construction plans. The performance guarantee shall remain in full force and effect until such time as the construction of improvements and installation of utilities are completed and accepted by the Town of Coats, or a minimum of one year whichever is greater in accordance with G.S. 160D-804.1. Failure to maintain the required performance guarantee shall result in the revocation

of the approval of the preliminary plat and any permits issued as a result of the preliminary plat approval. A temporary construction easement permitting the Town of Coats or its designee(s) to access the property for the purpose of constructing/installing the guaranteed improvements is required to be provided with the performance guarantee. The temporary construction easement shall be valid until all guaranteed improvements have been constructed/installed and approved or accepted by the Town. The temporary construction easement shall bind to all successive owners until the guaranteed improvements have been constructed/installed and approved or accepted by the Town. Said temporary construction easement shall be recorded at the office of the Harnett County Register of Deeds, with recording fees to be paid by the applicant/landowner.

2. Failure to perform. Failure to initiate construction of the improvements within one year of the date the performance guarantee was accepted by the Town of Coats shall result in the Town, at its sole discretion, constructing the improvements, with the cost to be paid from the performance guarantee. The guarantor institution shall, if requested by the Town, pay all or any portion of the funds to the Town up to the amount needed to complete the improvements based on an estimate by the Town. The Town may spend such portion of said funds necessary to complete all or any portion of the required improvements. The Town shall return to the developer any funds not spent in completing the improvements. Default on a project does not release the developer from responsibility for the completion of the improvements. In the event that the amount of performance guarantee on hand is insufficient to pay for the completion of the improvements, the property owner shall pay to the Town of Coats the total amount of the insufficiency. If the Town is not paid, the amount of the insufficiency shall constitute a lien on the property in favor of the Town.

307.3 Release of Performance Guarantee

The Town Board may release a portion of any Performance Guarantee posted as the improvements are completed and approved by the Town. When the Town approves said improvements, then the Town Board shall immediately release any security for said improvements.

307.4 Submission Procedure

The Subdivider shall submit the final plat, so marked, through the town clerk and Subdivision Administrator to the Planning Board meeting at which it will be reviewed; further, the final plat for the first stage of the subdivision shall be submitted not more than twelve (12) months after the date on which the preliminary plat was approved; otherwise such approval shall be null and void, unless a written extension of this limit is granted by the Planning Board on or before the twelve (12) month anniversary of the approval in accordance with G.S. 160D-108 and G.S. 160D-108.1.

The final plat shall be prepared by a Registered Land Surveyor currently licensed and registered in the State of North Carolina by the North Carolina State Board of Registration for

Professional Engineers and Land Surveyors. The final plat shall conform to the provisions for plats, subdivisions, and mapping requirements set forth in G. S. 47-30 and the Manual of Practice for Land Surveying in North Carolina.

Five (5) copies of the final plat shall be submitted; two (2) of these shall be on reproducible material; three (3) shall be black or blue line paper prints. Material and drawing medium for the original shall be in accordance with the Manual of Practice for Land Surveying in North Carolina, where applicable, and the requirements of the Harnett County Register of Deeds.

The final plat shall be of a size suitable for recording with the Harnett County Register of Deeds and shall be at a scale of not less than one (1) inch equals two hundred (200) feet. Maps may be placed on more than one (1) sheet with appropriate match lines.

Submission of the final plat shall be accompanied by a filing fee and acreage fees (when applicable). A filing fee of \$25.00 is required, plus \$.75 per lot over ten. When there are two or more principal buildings per site, a fee of \$.75 per building site over two will be paid.

Water and sewer service acreage fees shall be charged for connecting to the water and/or sewer system of the Town in order to recover the cost of previous capital investments in the water and sewer systems and to build a capital reserve fund for future investment in the water and sewer facilities. For residential development, these charges shall be calculated on a per lot basis pursuant to the following schedule. For non-residential development these charges shall be based upon the meter size of the project.

| | | Tap On Fee | | |
|---|------|------------|----------|----------|
| | | Water | Sewer | Total |
| ¾ | inch | \$200.00 | \$200.00 | \$400.00 |
| 1 | inch | \$250.00 | \$250.00 | \$500.00 |

All taps above one inch cost plus

| | | Residential Acreage Fee | | |
|---|--------------|-------------------------|----------|----------|
| | | Water | Sewer | Total |
| 1 | Bedroom Unit | \$100.00 | \$300.00 | \$400.00 |
| 2 | Bedroom Unit | \$100.00 | \$400.00 | \$500.00 |
| 3 | Bedroom Unit | \$100.00 | \$500.00 | \$600.00 |

| | | Non-Residential Acreage Fee | | |
|-----|------|-----------------------------|-------------|-------------|
| | | Water | Sewer | Total |
| ¾ | inch | \$200.00 | \$500.00 | \$700.00 |
| 1 | inch | \$300.00 | \$1,000.00 | \$1,300.00 |
| 1 ½ | inch | \$500.00 | \$2,000.00 | \$2,500.00 |
| 2 | inch | \$500.00 | \$2,500.00 | \$3,000.00 |
| 3 | inch | \$1,000.00 | \$5,000.00 | \$6,000.00 |
| 4 | inch | \$2,000.00 | \$8,000.00 | \$10,000.00 |
| 6 | inch | \$5,000.00 | \$15,000.00 | \$20,000.00 |

The size of the water meter and the size of the lines to be installed pursuant to the above schedule shall be determined by the Town Manager.

The final plat shall meet the specifications in Section 308 of this ordinance.

The following signed certificates shall appear on all five (5) copies of the final plat:

a) Certificate of Ownership and Dedication

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

Date

Owners

b) Certificate of Survey and Accuracy

In accordance with the Manual of Practice for Land Surveying in North Carolina:

On the face of each map prepared for recordation there shall appear a certificate acknowledged before an officer authorized to take acknowledgements and executed by the person making the survey or map including deeds and any recorded data shown thereon. The certificate shall include a statement of error of closure calculated by latitudes and departures. Any lines on the map which were not actually surveyed must be clearly indicated on the map and a statement included in the certificate revealing the source of information.

The certificate shall take the following general form:

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

Witness my hand and seal this _____ day of _____, _____.

Registered Land Surveyor

Official Seal

Registration Number

I (officer authorized to take acknowledgements), do hereby certify that _____ (name of registered surveyor) personally appeared before me this day and acknowledged the due execution of this certificate. Witness my hand and (where an official seal is required by law) official seal this the _____ day of (year).

Notary Public

Official Seal

- c) Certificate of Approval of the Design and Installation of Streets, Utilities, and Other Required Improvements.

I hereby certify that all streets, utilities and other required improvements have been installed in a manner approved by the appropriate state or local authority and according to Town specifications and standards in the _____ Subdivision or that guarantees of the installation of the required improvements in an amount and manner satisfactory to Town of Coats has been received, and that the filing fee for this plat, in the amount of \$ _____ has been paid.

Subdivision Administrator

Date

The Planning Board shall review the final plat during and/or before its next regularly scheduled meeting which follows at least fifteen (15) days after the Planning Board receives the final plat and shall approve, or disapprove of the final plat with reasons within forty (40) days of its first consideration of the plat.

During its review of the final plat the Planning Board may appoint an engineer or surveyor to confirm the accuracy of the final plat (if agreed to by the Town Board). If substantial errors are found, the costs shall be charged to the subdivider and the plat shall not be recommended for approval until such errors have been corrected.

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

Certificate of Approval for Recording

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

Chairman of the Planning Board

Date

Coats, North Carolina

If the final plat is disapproved by the Planning Board, the reasons for such disapproval shall be stated in writing, specifying the provisions of this ordinance with which the final plat does not comply. One (1) copy of such reasons and one (1) print of the plat shall be retained by the Planning Board as part of its proceedings; one (1) copy of the reasons and three (3) copies of the plat shall be transmitted to the subdivider. If the final plat is disapproved, the subdivider may make such changes as will bring the final plat into compliance and resubmit same for reconsideration by the Planning Board or appeal the decision to the Coats Town Board of Commissioners.

If the final plat is approved by the Planning Board, the original tracing and one (1) print of the plat shall be retained by the subdivider. One (1) reproducible tracing and one (1) print shall be filed with the Town Clerk, and one (1) print shall be retained by the Planning Board for its records.

The subdivider shall file the approved final plat with the Register of Deeds of Harnett County within thirty (30) days of Planning Board approval; otherwise such approval shall be null and void.

Section 308. Information to be Contained in or Depicted on Preliminary and Final Plat

The preliminary and final plats shall depict or contain the information in the following table. An “X” indicates that the information is required.

| <u>INFORMATION</u> | <u>PLAT</u> | |
|--|--------------------|--------------|
| | <u>Preliminary</u> | <u>Final</u> |
| Title Block Containing: | | |
| Property designation | X | X |
| Name of owner | X | X |
| Location (including township, county and state) | X | X |
| Date or dates survey was conducted and plat prepared | X | X |
| A scale drawing in feet per inch listed in words or figures | X | X |
| A bar graph | X | X |
| Name, address, registration number and seal of the Registered Land Surveyor | X | X |
| The name of the subdivider | X | X |
| A sketch vicinity map showing the relationship between the proposed subdivision and the surrounding area | X | X |
| Corporate limits, township boundaries, county lines if on the subdivision tract | X | X |
| The names, addresses and telephone numbers of all owners, mortgagees, registered land surveyors, land planners, architects, and professional engineers responsible for the subdivision | X | X |
| The registration numbers and seals of the professional engineers | X | X |
| Date of plat preparation | X | X |
| North arrow and orientation | X | X |
| The boundaries of the tract or portion thereof to be subdivided, distinctly and accurately represented with all bearings and distances shown | X | X |
| The exact boundary lines of the tract to be subdivided, fully dimensioned by lengths and bearings, and the location of existing boundary lines of adjoining lands | X | X |
| The names of owners of adjoining properties | X | X |
| The names of any adjoining subdivisions of record or proposed and under review | | |
| Minimum setback lines | X | X |
| The zoning classifications of the tract to be subdivided and adjoining properties | X | X |
| Existing property lines on the tract to be subdivided and on adjoining properties | X | X |
| Existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining | X | X |

| | | |
|---|---|----------------|
| Proposed lot lines, lot and block numbers, and approximate dimensions | X | X |
| The lots numbered consecutively throughout the subdivision | X | X |
| Wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or streambeds and any other natural features affecting the site | X | X |
| The exact location of the flood hazard, floodway and floodway fringe areas from the community's Flood Hazard Boundary Maps or other Federal Emergency Management Agency maps | X | X |
| The following data concerning streets: | | |
| Proposed streets | X | X |
| Existing and platted streets on adjoining properties and in the proposed subdivision | X | X |
| Rights-of-way, locations and dimensions | X | X |
| Pavement widths | X | X ¹ |
| Approximate grades | X | X ¹ |
| Design engineering data for all corners and curves | X | X |
| Typical street cross sections | X | X |
| Street names | X | X |
| Street maintenance agreement in accordance with Section 405.1 of this ordinance | X | X |
| Type of street dedication; all streets must be designated either "public" or "private." Where public streets are involved which will not be dedicated to a municipality, the subdivider must submit the following documents to the N. C. Department of Transportation District Highway Office for review: A complete site layout, including any future expansion anticipated; horizontal alignment indicating general curve data on site layout plan; vertical alignment indicated by percent grade, PI station and vertical curve length on site plan layout (the District Engineer may require the plotting of the ground profile and grade line for roads where special conditions or problems exist); typical section indicating the pavement design and width and the slopes, widths and details for either the curb and gutter or the shoulder and ditch proposed; drainage facilities and drainage areas | X | X |
| Where streets are dedicated to the public, but not accepted into a municipal or the state system before lots are sold, a statement explaining the status of the street in accordance with Section 405.2 of this ordinance | | X |
| If any street is proposed to intersect with a state maintained road, the subdivider shall apply for driveway approval as required by the North Carolina Department of Transportation, Division of Highways' <u>Manual on Driveway Regulations</u> . Evidence that the subdivider has obtained such approval | X | X |
| The location and dimensions of all: | | |
| Utility and other easements | X | |
| Riding trails | X | X |
| Natural buffers | X | X |
| Pedestrian or bicycle paths | X | X |
| Parks and recreation areas with specific type indicated | X | X |
| School sites | X | X |
| Areas to be dedicated to or reserved for public use | X | X |
| Areas to be used for purposes other than residential with the purpose of each stated | X | X |
| The future ownership (dedication or reservation for public use to governmental body, for owners to duly constituted homeowners' association, or for tenants remaining in subdivider's ownership) of recreation and open space lands | X | X |
| The plans for utility layouts including: | | |
| Public or Community Sewage System (if any) | X | X ¹ |

| | | |
|---|---|----------------|
| Storm sewers | X | X ¹ |
| Other drainage facilities (if any) | X | X ¹ |
| Public water system (if any) | X | X ¹ |
| Natural gas lines | X | X ¹ |
| Telephone lines | X | X ¹ |
| Electric lines | X | X ¹ |
| Illustrating connections to existing systems, showing line sizes, the location of fire hydrants, blowoffs, manholes, force mains and gate valves. | | |
| Plans for individual water supply and septic systems, if any | X | X |
| Profiles based upon Mean Sea Level datum for sanitary sewers and storm sewers | X | |
| Site calculations including: | | |
| Acreage in total tract to be subdivided | X | |
| Acreage in parks and recreation areas and other nonresidential uses | X | |
| Total number of parcels created | X | |
| Acreage in the smallest lot in the subdivision | X | |
| Linear feet in streets | X | |
| The name and location of any property or buildings within the proposed subdivision or within any contiguous property that is located on the U. S. Department of the Interior's National Register of Historic Places | X | X |
| Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles, and tangent distance for the center line of curved property lines that are not the boundary line of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute. | | X |
| The accurate locations and descriptions of all monuments, markers and control points. | | X |
| A copy of any proposed deed restrictions or similar covenants. Such restrictions are mandatory when private recreation areas are established. | X | X |
| A copy of the erosion control plan submitted to the appropriate authority and a copy of the letter of approval of the erosion control plan by the appropriate authority. | X | X |
| Topographic map with contour intervals of five feet | X | X |
| All certifications required in Section 307 | X | X |
| Any other information considered by either the subdivider or Planning Board to be pertinent to the review of the plat. | X | X |

¹ Required on preliminary and final plats for major subdivisions and required only on final plats for minor subdivisions.

Section 309. Recombination of Land

309.1 Any plat or any part of any plat may be vacated by the owner at any time before the sale of any lot in the subdivision by a written instrument to which a copy of such plat shall be attached, declaring the same to be vacated.

309.2 Such an instrument shall be approved by the same agencies as approved the final plat. The Planning Board may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets or alleys.

309.3 Such an instrument shall be executed, acknowledged or approved and recorded and filed in the same manner as a final plat; and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat.

309.4 When lots have been sold, the plat may be vacated in the manner provided in Section 309.1 through 309.3 by all owners of the lots in such plat joining in the execution of such writing.

Section 310. Re-subdivision Procedures

For any re-platting or re-subdivision of land, the same procedures, rules and regulations shall apply as prescribed herein for an original subdivision.

**ARTICLE IV. REQUIRED IMPROVEMENTS, DIVISION, RESERVATION,
MINIMUM STANDARDS OF DESIGN**

Section 401. General

Each subdivision shall contain the improvements specified in this article, which shall be installed in accordance with the requirements of this ordinance and paid for by the subdivider, unless other means of financing is specifically stated in this ordinance. Land shall be dedicated and reserved in each subdivision as specified in this article. Each subdivision shall adhere to the minimum standards of design established by this article.

Section 402. Suitability of Land

402.1 Land which has been determined by the Planning Board, on the basis of engineering or other expert surveys, to pose an ascertainable danger to life or property by reason of its unsuitability for the use proposed shall not be platted for that purpose, unless and until the subdivider has taken the necessary measures to correct said conditions and to eliminate said dangers.

402.2 Areas that have been used for disposal of solid waste shall not be subdivided unless tests by the Coats Town Health Department, a structural engineer and a soils expert determine that the land is suitable for the purpose proposed.

402.3

- a) All subdivision proposals shall be consistent with the need to minimize flood damage;
- b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

Section 403. Name Duplication

The name of the subdivision shall not duplicate nor closely approximate the name of an existing subdivision within the Town of Coats and its extraterritorial jurisdiction area.

Section 404. Subdivision Design

404.1 Blocks

- a) The lengths, widths, and shapes of blocks shall be determined with due regard to: provision of adequate building sites suitable to the special needs of the type of use contemplated; zoning requirements; control and safety of street traffic; limitations and opportunities of topography; and convenient access to water areas.

- b) Blocks shall have sufficient width to allow two (2) tiers of lots of minimum depth except where single tier lots are required to separate residential development from through vehicular traffic or another type of use, in nonresidential subdivisions, or where abutting a water area.
- c) A pedestrian crosswalk at least fifteen (15) feet in width shall be required to provide public access to a public area such as a park or school, to a water area, or to areas such as shopping centers, religious or transportation facilities.

404.2 Lots

- a) All lots in new subdivisions shall conform with the dimensional requirements contained in the Town of Coats's Zoning Ordinance.
- b) Lots shall meet any applicable Harnett County Health Department Regulations.
- c) Double frontage lots shall be avoided wherever possible.
- d) Side lot lines shall be substantially at right angles or radial to street lines.

404.3 Easements

Easements shall be provided as follows:

- a) Utility Easements

Easements for underground or above ground utilities shall be provided, where necessary, across lots or centered on rear or side lot lines and shall be at least fifteen (15) feet wide for water and sanitary sewer lines and as required by the companies involved, for telephone, gas and power lines. The Subdivision Administrator will determine whether one (1) easement is sufficient or whether several easements are necessary to accommodate the various facilities and the subdivider shall provide the required easements.

- b) Drainage Easements

Where a subdivision is traversed by a stream or drainage way, an easement shall be provided conforming with the lines of such stream and of sufficient width as will be adequate for the purpose of drainage.

Section 405. Streets

405.1 Type of Streets Required

All subdivision lots shall abut on a public street. All public streets shall be built to the standards of this ordinance and all other applicable standards of the Town and the North Carolina Department of Transportation. Public streets which are eligible for acceptance into the State Highway System shall be constructed to the standards necessary to be put on the State Highway System or the standards in this ordinance, whichever is stricter in regard to each particular item, and shall be put on such system. Streets which are not eligible to be put on the State Highway System because there are too few lots or residences shall, nevertheless, be dedicated to the public and shall be in accordance with the standards in this ordinance or standards necessary to be put on the State/Town Highway System, whichever is stricter in regard to each particular item, so as to be eligible to be put on the system at a later date. A written maintenance agreement with provisions for maintenance of the street until it is put on the State system shall be included with the final plat.

405.2 Subdivision Street Disclosure Statement

All streets shown on the final plat shall be designated in accordance with G. S. 136-102.6 and designation as public shall be conclusively presumed and offer of dedication to the public. Where streets are dedicated to the public but not accepted into a municipal or State system, before lots are sold, a statement explaining the status of the street shall be included with the final plat.

405.3 Half-Streets

The dedication of half streets of less than sixty (60) feet at the perimeter of a new subdivision shall be prohibited. If circumstances render this impracticable, adequate provision for the concurrent dedication of the remaining half of the street shall be furnished by the subdivider. Where there exists a half-street in an adjoining subdivision, the remaining half shall be provided by the proposed subdivision. However, in circumstances where more than sixty (60) feet of right-of-way is required, a partial width right-of-way, not less than sixty (60) feet in width, may be dedicated when adjoining undeveloped property is owned or controlled by the subdivider; provided that the width of the partial dedication is such as to permit the installation of such facilities as may be necessary to serve abutting lots. When the adjoining property is subdivided, the remainder of the full required right-of-way shall be dedicated.

405.4 Marginal Access Streets

Where a tract of land to be subdivided adjoins a principal arterial street, the subdivider shall provide a marginal access street parallel to the arterial street or reverse frontage on a minor street for the lots to be developed adjacent to the arterial. Where reverse frontage is established, private driveways shall be prevented from having direct access to the principal arterial.

405.5 Access to Adjacent Properties

Where interconnection for future expansion of the street network is necessary to provide for access to an adjoining property, proposed streets shall be extended by dedication to the boundary of such property and a temporary turnaround provided. Street stub-out extensions shall be provided at grade for every 4,000 linear feet of external property boundary perimeter, rounded up to the next increment.

405.6 Nonresidential Street

The subdivider of a nonresidential subdivision shall provide streets in accordance with the standards contained in the most current edition of the North Carolina Roads, Minimum Construction Standards booklet; and the standards in this ordinance, whichever are stricter in regard to each particular item.

405.7 Design Standards

The design of all streets and roads within the jurisdiction of this ordinance shall be in accordance with the accepted policies of the North Carolina Department of Transportation, Division of Highways, as taken or modified from the American Association of State Highway Officials (AAHSO) manuals. The most current edition of the N. C. Department of Transportation, Division of Highways' Subdivision Roads Minimum Construction Standards shall apply for any items not included in this ordinance, or where stricter than this ordinance.

- a) Right-of-way Widths: Right-of-way widths shall not be less than the following and shall apply except in those cases where right-of-way requirements have been specifically set out in the thoroughfare plan.

| Rural | Minimum Right-of-Way, Feet |
|--|-----------------------------------|
| Principal Arterial | |
| Freeways | Shall meet DOT Standards |
| Other | Shall meet DOT Standards |
| Minor Arterial | Shall meet DOT Standards |
| Major Collector | Shall meet DOT Standards |
| Minor Collector | Shall meet DOT Standards |
| Local Road | Shall meet DOT Standards |
| Urban | |
| Major Thoroughfare other than Freeway and Expressway | 90 |
| Minor Thoroughfare | 60 |
| Local Street | 50 |

The subdivider will only be required to dedicate a maximum of 100 feet of right-of-way. In cases where over 100 feet of right-of-way is desired, the subdivider will be required only to reserve the amount in excess of 100 feet. In all cases in which right-

of-way is sought for an access controlled facility, the subdivider will only be required to make a reservation.

- b) **Street Paving Widths:** Paving widths for street and road classifications other than local shall be as required by the thoroughfare plan where applicable. Paving widths of local roads and streets shall be as follows:

1. Local Residential

Curb and gutter section – 26 feet, to face of curb

Shoulder section – 20 feet to edge of pavement, 4 foot shoulders

2. Residential Collector

Curb and gutter section – 34 feet, to face of curb

Shoulder section – 20 feet to edge of pavement, 6 foot shoulders

- c) **Geometric Characteristics:** The standards outlined below shall apply to all subdivision streets proposed for addition to the State Highway System. In cases where a subdivision is sought adjacent to a proposed thoroughfare corridor, the requirements of dedication and reservation discussed under Right-of-Way shall apply.

1. Design Speed

The design speeds for subdivision-type streets shall be:

| | Desirable | (Minimum) | |
|--|------------------|------------------|----------------|
| | | Level | Rolling |
| Rural | | | |
| Minor Collector Roads | 60 | 50 | 40 |
| Local Roads including Residential Collectors and Local Residential | 50 | 50* | 40* |
| Urban | | | |
| Major Thoroughfares other than Freeway or Expressway | 60 | 50 | 50 |
| Minor Thoroughfares | 60 | 50 | 50 |
| Local Streets | 40 | 40** | 30** |

* Based on projected annual average daily traffic of 400-750. In cases where road will serve a very limited area and small number of dwelling units, minimum design speeds can be reduced further, but in no case, below 25.

** Based on projected annual average daily traffic of 50-250.

2. Maximum and Minimum Grades

- a. The maximum grades in percent shall be:

| Design Speed | Level | Rolling |
|---------------------|--------------|----------------|
| 60 | 3 | 4 |
| 50 | 4 | 5 |
| 40 | 5 | 6 |
| 30 | | 9 |

- b. A minimum grade for curbed streets normally should not be less than 0.5%, a grade of 0.35% may be allowed where there is a high type pavement accurately crowned and in areas where special drainage conditions may control.
- c. Grades for 100 feet each way from intersections should not exceed 5%.
- d. For streets and roads with projected annual average daily traffic less than 250, short grades less than 500 feet long, may be 150% greater.

3. Minimum Sight Distances

In the interest of public safety, no less than the minimum sight distance applicable shall be provided in every instance. Vertical curves that connect each change in grade shall be provided and calculated using the following parameters. (General practice calls for vertical curves to be multiples of 50 feet. Calculated lengths shall be rounded up in each case.):

| | Design Speed, MPH | | | | |
|---|--------------------------|-----------|-----------|-----------|-----------|
| | 20 | 30 | 40 | 50 | 60 |
| Stopping Sight Distance | | | | | |
| Minimum Stopping Distance, Feet | 150 | 200 | 275 | 350 | 475 |
| Desired Stopping Distance, Feet | 150 | 200 | 300 | 450 | 650 |
| | | | | | |
| Minimum k* Value For: | | | | | |
| a. Minimum Crest Vertical Curve | 16 | 28 | 55 | 85 | 160 |
| Desirable Crest Vertical Curve | 16 | 28 | 65 | 145 | 300 |
| b. Minimum SAG Vertical Curve | 24 | 35 | 55 | 75 | 105 |
| Desirable SAG Vertical Curve | 24 | 35 | 60 | 100 | 155 |
| | | | | | |
| Passing Sight Distance | | | | | |
| Minimum Passing Distance, Feet (2 lane) | n/a | 1100 | 1500 | 1800 | 2100 |

| | | | | | |
|--|-----|-----|-----|-----|------|
| Minimum k^* Value for Crest Vertical Curve | n/a | 365 | 686 | 985 | 1340 |
|--|-----|-----|-----|-----|------|

k^* is a coefficient by which the algebraic difference in grade may be multiplied to determine the length in feet of the vertical curve which will provide minimum sight distance.

Sight distance provided for stopped vehicles at intersections should be in accordance with “A Policy on Geometric Design of Rural Highways.”

4. The following table shows the maximum degree of curve and related maximum superelevation for design speeds. The maximum rate of roadway superelevation (e) for rural roads with no curb and gutter is 0.08. The maximum rate of superelevation for urban streets with curb and gutter is 0.06 with 0.04 being desirable.

| Design Speed, MPH | Maximum e^* | Minimum Radius (Rounded), Feet | Maximum Degree of Curve (Rounded), Feet |
|-------------------|---------------|--------------------------------|---|
| 20 | 0.04 | 125 | 45.0 |
| 30 | 0.04 | 300 | 19.0 |
| 40 | 0.04 | 560 | 10.0 |
| 50 | 0.04 | 925 | 6.0 |
| 60 | 0.04 | 1410 | 4.0 |
| | | | |
| 20 | 0.06 | 115 | 50.0 |
| 30 | 0.06 | 275 | 21.0 |
| 40 | 0.06 | 510 | 11.5 |
| 50 | 0.06 | 830 | 7.0 |
| 60 | 0.06 | 1260 | 4.5 |
| | | | |
| 20 | 0.08 | 110 | 53.5 |
| 30 | 0.08 | 250 | 2.0 |
| 40 | 0.08 | 460 | 12.5 |
| 50 | 0.08 | 760 | 7.5 |
| 60 | 0.08 | 1140 | 5.0 |

* = rate of roadway superelevation, foot per foot

d) Intersection:

1. Streets shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at an angle less than sixty (60) degrees.
2. Property lines at intersections should be set so that the distance from the edge of pavement, of the street turnout, to the property line will be at least as great as the distance from the edge of pavement to the property line along the intersecting streets. This property line can be established as a radius or as a sight triangle.

Greater offsets from the edge of pavement to the property line will be required, if necessary, to provide sight distance for the vehicle on the side street.

3. Offset intersections are to be avoided unless exception is granted by the Division of Highways. Intersections which cannot be aligned should be separated by a minimum length of 200 feet between survey center lines.
4. Intersections with arterials, collector and thoroughfares shall be at least one thousand (1000) feet from center line to center line, or more if required by the North Carolina Department of Transportation.

e) Cul-de-sacs

Permanent deadend streets should not exceed five hundred (500) feet in length unless necessitated by topography or property accessibility and in no case shall be permitted to be over nine hundred (900) feet. Measurements shall be from the point where the center line of the deadend street intersects with the center of the turnaround of the cul-de-sac. Where one cul-de-sac intersects with another cul-de-sac, the end of each cul-de-sac shall be no more than 500 to 900 feet from a through street, measured as stated above. The distance from the edge of pavement on the vehicular turnaround to the right-of-way line shall not be less than the distance from the edge of pavement to right-of-way line on the street approaching the turnaround. Cul-de-sacs should not be used to avoid connection with an existing street or to avoid the extension of an important street, unless exception is granted by the Planning Board.

f) Alleys

1. Alleys shall be required to serve lots used for commercial and industrial purposes except that this requirement may be waived where other definite and assured provision is made for service access.

Alleys shall not be provided in residential subdivisions unless necessitated by unusual circumstances.

2. The width of an alley shall be at least twenty (20) feet.
3. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead-end.
4. Sharp changes in alignment and grade shall be avoided.
5. All alleys shall be designed in accordance with N. C. Department of Transportation Standards.

405.8 Other Requirements

a) Through Traffic Discouraged on Residential Collector and Local Streets.

Residential collector and local streets shall be laid out in such a way that their use by through traffic will be discouraged. Streets shall be designed or walkways dedicated to assure convenient access to parks, playgrounds, schools, or other places of public assembly.

b) Sidewalks

Sidewalks shall be required on at least one side of the street in new residential subdivisions and along any existing street(s) fronting the property being subdivided as a Major Subdivision. Such sidewalks shall be constructed to a minimum width of five (5) feet, and shall consist of a minimum thickness of four (4) inches of concrete. All sidewalks shall be placed in the right-of-way, unless the development is platted as a planned unit or group development. Sidewalks shall consist of a minimum of six (6) inches of concrete at driveway crossings and meet ADA standards at all intersections. This requirement may be alternatively satisfied by a paved asphalt greenway trail under circumstances where the development may be connected to future trail networks, commercial corridors, parks and open space, or other institutional points of interest.

c) Street Names

Proposed streets which are obviously in alignment with existing streets shall be given the same name. In assigning new names, duplication of existing names shall be avoided and in no case shall the proposed name be phonetically similar to existing names in the town or its planning area irrespective of the use of a suffix such as street, road, drive, place, court, etc. Street names shall be subject to approval of the Planning Board.

d) Street Name Signs

The town shall provide and erect street name signs at all intersections within the subdivisions. The town shall be reimbursed by the subdivider for the cost of the signs.

e) Permits for Connection to State Roads

An approved permit is required for connection to any existing state system road. The permit is required prior to any construction on the street or road. The application is available at the office of the nearest district engineer of the Division of Highways.

f) Wheelchair Ramps

In accordance with Chapter 136, Article 2A, Section 136-44.14, all street curbs in North Carolina being constructed or reconstructed for maintenance procedures,

traffic operations, repairs, correction of utilities, or altered for any reason, shall provide wheelchair ramps for the physically handicapped at all intersections where both curb and gutter and sidewalks are provided and at other major points of pedestrian flow.

g) Horizontal Width on Bridge Deck

1. The clear roadway widths for new and reconstructed bridges serving two (2) lane, two (2) way traffic shall be as follows:

a. Shoulder Section Approach

i. Under 800 ADT Design Year

Minimum 28 feet width face-to-face of parapets or rails or pavement width plus 10 feet, whichever is greater.

ii. 800-2000 ADT Design Year

Minimum of 34 feet width face-to-face of parapets or rails or pavement width plus 12 feet, whichever is greater.

iii. Over 2000 ADT Design Year

Minimum 40 feet. Desirable 44 feet width face-to-face of parapets or rails.

b. Curbs and Gutter Approach

i. Under 800 ADT Design Year. Minimum 24 feet face-to-face of curbs.

ii. Over 800 ADT Design Year. Width of approach pavement measured face-to-face of curbs. Where curb and gutter sections are used on roadway approaches, curbs on bridges shall match the curbs on approaches in height, in width of face-to-face curbs, and in crown drop. The distance from face to curb to face of parapet or rail shall be 1' 6" minimum, or greater if sidewalks are required.

2. The clear roadway widths for new and reconstructed bridges having four (4) or more lanes serving undivided two-way traffic shall be as follows:

a. Shoulder Section Approach

Width of approach pavement plus width of usable shoulders on the approach left and right.

Minimum 8'; Desirable 10'

b. Curb and Gutter Approach

Width of approach pavement measured face-to-face of curbs.

h) Curb and Gutter

Curbs and gutters shall be required on streets within Major Subdivisions.

Section 406. Utilities

406.1 Utilities

- a) Public Water and Sewer Systems. Where public water and/or sewer systems are to be installed as part of the subdivision improvements, such systems shall be designed and installed in accordance with the standards and specifications of the health department and/or the governmental agency responsible for the approval of such systems.
- b) Tap-On Stub-Outs. Where public water and/or sewer systems are to be installed as part of the subdivision improvements, such systems shall be constructed to provide tap-on stub-outs for each lot plotted in the subdivision.
- c) On-site Water and Sewer Systems. Prerequisite to final plat approval, all lots on the plat to be recorded must be certified in writing by the health department to meet health department minimum standards for on-site water and/or sewer systems when either or both of such systems are proposed to be used.
- d) Street Lighting. Street lighting shall be provided and installed at the subdivider's expense, at intervals suggested by the appropriate electrical utility company.

406.2 Surface Water Drainage

The subdivider shall provide a surface water drainage system constructed to the standards of the North Carolina Department of Transportation, as reflected in the Handbook for the Design of Highway Surface Drainage Structures, subject or review by the Town of Coats Consulting Engineer.

- a) No surface water shall be channeled or directed into a sanitary sewer.
- b) Where feasible, the subdivider shall connect to an existing surface water drainage system.

- c) Where an existing surface water drainage system cannot feasible be extended to the subdivision, a surface drainage system shall be designed to protect the proposed development from water damage.
- d) Surface drainage courses shall have side slopes of at least three (3) feet of horizontal distance for each one (1) foot of vertical distance, and courses shall be of sufficient size to accommodate the drainage area without flooding, and designed to comply with the standards and specifications for erosion control of the North Carolina Sedimentation Pollution Control Act, G. S. 143-34.12, Chapter 113A, Article 4 and the North Carolina Administrative Code Title 15, Chapter 4, and any locally adopted erosion and sedimentation control ordinances.
- e) The minimum grade along the bottom of a surface drainage course shall be a vertical fall of at least one (1) foot in each two hundred (200) feet of horizontal distance.
- f) Streambanks and channels downstream from any land disturbing activity shall be protected from increased degradation by accelerated erosion caused by increased velocity of runoff from the land disturbing activity in accordance with the North Carolina Sedimentation Pollution Control Act, G. S. 143-34.12, Chapter 113A, Article 4 and the North Carolina Administrative Code Title 15, Chapter 4.
- g) Anyone constructing a dam or impoundment within the subdivision must comply with the North Carolina Dam Safety Law of 1967 and the North Carolina Administrative Code Title 15, Subchapter 2 K.
- h) In all areas of special flood hazards, all subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

406.3 Underground Utilities

The subdivider shall be required to install at their expense all electrical, telephone, and cable television service for the subdivision in an approved underground system.

Section 407. Other Requirements

407.1 Placement of Monuments

Unless otherwise specified by this ordinance, the Manual of Practice for Land Surveying as adopted by the N. C. State Board of Registration for Professional Engineers and Land Surveyors, under the provisions of Title 21 of the North Carolina Administrative Code, Chapter 56 (21 NCAC 56), shall apply then conducting surveys for subdivisions; to determine the accuracy for surveys and placement of monuments, control corners, markers, and property corner ties; and to determine the location, design, and material of monuments, markers, control corners, and property corner ties; and to determine other standards and procedures governing the practice of land surveying for subdivisions.

407.2 Construction Procedures

No construction or installation of improvements shall commence in a proposed subdivision until the preliminary plat has been approved, and all plans and specifications have been approved by the appropriate authorities.

No building, zoning or other permits shall be issued for erection of a structure on any lot not of record at the time of adoption of this ordinance have been met. The subdivider, prior to commencing any work within the subdivision, shall make arrangements with the administrator of this ordinance to provide for adequate inspection. The approving authorities having jurisdiction or their representatives shall inspect and approve all completed work prior to release of the sureties.

407.3 Oversized Improvements

The Town of Coats may require installation of certain oversized utilities or the extension of utilities to adjacent property when it is in the interest of future development. If the Town requires installation of improvements in excess of the standards required in this ordinance, including all standards adopted by reference, the Town shall pay the cost differential between the improvement required and the standards in this ordinance under the terms and conditions of a Development Agreement approved in accordance with Article 10 of G.S. 160D.

ARTICLE V. DEFINITIONS

Section 501. “Subdivision” Defined

For the purposes of this ordinance, “subdivision” means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to any regulations enacted pursuant to this ordinance in accordance with G.S. 160D-802.

- (1) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the municipality as shown in this ordinance;
- (2) The division of land into parcels greater than ten (10) acres where no street right-of-way dedication is involved;
- (3) The public acquisition by purchase of strips of land for the widening or opening of streets for public transportation system corridors; and
- (4) The division of a tract in single ownership whose entire area is no greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the municipality as shown in this ordinance.
- (5) The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes.
- (6) The subdivision or recombination of land by public utilities. *In case of a conflict between this description of exempt subdivisions and state law (N.C. Gen. Stat. sec. 160D-802, or any successor statute), state law shall control.*

Section 502. Other Definitions

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

- Block. A piece of land bounded on one or more sides by streets or roads.
- Building Setback Line. A line parallel to the front property line in front of which no structure shall be erected. Setbacks shall be figured from the right-of-way line.

- Dedication. A gift, by the owner, or a right to use of land for a specified purpose or purposes. Because a transfer of property rights is entailed, dedication must be made by written instrument, and is completed with an acceptance.
- Easement. A grant by the property owner of a strip of land for a specified purpose and use by the public, a corporation, or persons.
- Half Street. A street whose centerline coincides with a subdivision plat boundary, with one – half (½) the street right-of-way width being contained within the subdivision plat. Also, any existing street to which the parcel of land to be subdivided abuts on only one side.
- Lot. A portion of a subdivision, or any other parcel of land, intended as a unit of transfer of ownership or for development or both.
- Lot of Record. A lot which is part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds of Harnett County prior to the adoption of this ordinance, or a lot described by metes and bounds, the description of which has been so recorded prior to the adoption of this ordinance.
- Lot Types:
 - Corner Lot. A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred thirty-five (135) degrees.
 - Double Frontage Lot. A continuous (through) lot which is accessible from both streets upon which it fronts.
 - Interior Lot. A lot other than a corner lot with only one frontage on more than one street.
 - Through Lot or a “Double Frontage Lot”. A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.
 - Reversed Frontage Lot. A lot on which the frontage is at right angles or approximately right angles (interior angles less than one hundred thirty-five [135] degrees) to the general pattern in the area. A reversed frontage lot may also be a corner lot, an interior lot or a through lot.
 - Single-Tier Lot. A lot which backs upon a limited access highway, a railroad, a physical barrier, or another type of land use and to which access from the rear is usually prohibited.

- Minor Subdivision. A minor subdivision is defined as one involving no new public or private streets or roads, or right-of-way dedication, no easements, no utility extension, where the entire tract to be subdivided is five (5) acres or less in size, and where four (4) or fewer lots result from the platting of the subdivision when completed.
- Official Maps or Plans. Any maps or plans officially adopted by the Coats Town Board of Commissioners.
- Open Space. An area (land and/or water) generally lacking in man-made structures and reserved for enjoyment in its unaltered state.
- Plat. A map or plan of a parcel of land which is to be, or has been subdivided.
- Public Water System. A system for the provision to the public of piped water for human consumption if such system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year.
- Public or Community Sewage System. A single system of sewage collection, treatment, and disposal owned and operated by a sanitary district, a metropolitan sewage district, a water and sewer authority, a county or municipality, or a public utility.
- Private Driveway. A roadway serving two (2) or fewer lots, building sites or other division of land and not intended to be public ingress or egress.
- Private Street. An undedicated private right-of-way which affords access to abutting properties and requires a subdivision streets disclosure statement in accordance with G. S. 136-102.6.
- Reservation. A reservation of land does not involve any transfer of property rights. It simply constitutes an obligation to keep property free from development for a stated period of time.
- Septic Tank System. A ground absorption sewage treatment and disposal system consisting of a septic tank and a nitrification field, necessary pipe lines, conduits, pump stations, and other appurtenances required for proper collection, distribution, treatment, disposal, operation and performance, or any other system approved by the Health Department.
- Street. A dedicated and accepted public right-of-way for vehicular traffic (or a private road only if permitted by this ordinance). The following classifications shall apply:

Rural Roads

- Principal Arterial. A rural link in a network of continuous routes serving corridor movements having trip length and travel density characteristics indicative of substantial

statewide or interstate travel and existing solely to serve traffic. This network would consist of interstate routes and other routes designed as principal arterials.

- Minor Arterial. A rural link in a network joining cities and larger towns and providing intrastate and intercounty service at relatively high overall travel speeds with minimum interference to through movement. This network would primarily serve traffic.
- Major Collector. A road which serves major intracounty travel corridors and traffic generators and provides access to the arterial system.
- Minor Collector. A road which provides service to small local communities and links locally important traffic generators with their rural hinterland.
- Local Road / Street. A local road serves primarily to provide access to adjacent land and for travel over relatively short distances.

Specific Type Rural or Urban Streets

- Freeway, Expressway, or Parkway. Divided multilane roadway designed to carry large volumes of traffic at relatively high speeds. A freeway is a divided highway providing for continuous flow of vehicles with no direct access to abutting property or streets and with access to selected crossroads provided via connecting ramps. An expressway is a divided highway with full or partial control of access and generally with grade separations at major intersections. A parkway is a highway for noncommercial traffic, with full or partial control of access, and usually located within a part or a ribbon of parklike development.
- Residential Collector Street. A local access street which serves as a connector street between local residential streets and the thoroughfare system. Residential collector streets typically collect traffic from 100 to 400 dwelling units.
- Local Residential Street. Cul-de-sacs, loop streets less than 2,500 feet in length, or streets less than one mile in length that do not connect thoroughfares, or serve major traffic generators, and do not collect traffic from more than 100 dwelling units.
- Cul-de-sac. A short street having but one end open to traffic and the other end being permanently terminated and a vehicular turnaround provided.
- Frontage Road. A local street or road that is parallel to a full or partial access controlled facility and functions to provide access to adjacent land.
- Alley. A strip of land, owned publicly or privately, set aside primarily for vehicular service access to the back or side of properties otherwise abutting on a street.
- Subdivider. Any person, firm, or corporation who subdivides or develops any land deemed to be a subdivision as herein defined.

Section 503. Word Interpretation

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

Words used in the present tense include the future tense.

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

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

The word “use for” shall include the meaning “designed for.”

The word “structure” shall include the word “building.”

The word “lot” shall include the words “plot,” “parcel,” or “tract.”

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