

### **Section 1 Purpose**

Subdivision regulations provide for the orderly growth and development of Cabarrus County; for the coordination of transportation networks and utilities within proposed subdivisions with existing or planned streets and highways and with other public facilities; and for the distribution of population and traffic in a manner that will avoid congestion and overcrowding and will create conditions that substantially promote public health, safety, and general welfare.

### **Section 2 Applicability**

For the purpose of this Ordinance, subdivision regulations shall be applicable to all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development, whether immediate or future, and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition:

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 local government as shown in its subdivision regulations.
2. The division of land into parcels greater than 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 or for public transportation system corridors.
4. The division of a tract in single ownership whose entire area is no greater than 2 acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the local government, as shown in its subdivision regulations.
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.

### **Section 3 Penalties for transferring lots in unapproved subdivisions**

If any person who, being the owner or agent of the owner of any land located within the planning and development regulation jurisdiction of Cabarrus County, thereafter subdivides his or her land in violation of the regulation or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under such regulation and recorded in the office of the appropriate register of deeds, shall be guilty of a Class 1 misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. Cabarrus County may bring an action for injunction of any illegal subdivision, transfer, conveyance, or sale of land, and the court shall, upon appropriate findings, issue an injunction and order requiring the offending party to comply with the subdivision regulation.

Building permits required pursuant to G.S. 160D-1108 may be denied for lots that have been illegally subdivided. In addition to other remedies, Cabarrus County may institute any

appropriate action or proceedings to prevent the unlawful subdivision of land, to restrain, correct, or abate the violation, or to prevent any illegal act or conduct.

The provisions of this section shall not prohibit any owner or its agent from entering into contracts to sell or lease by reference to an approved preliminary plat for which a final plat has not yet been properly approved under the subdivision regulation or recorded with the register of deeds, provided the contract is in compliance with 160D-807. However, no conveyance of land may occur and no contract to lease it may become effective until after the final plat has been properly approved under the subdivision regulation and recorded with the register of deeds.

#### **Section 4      Applicability and types of divisions**

For the purpose of this Chapter, these regulations shall apply to all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development, whether immediate or future, and shall include all divisions of land involving the dedication of a new street or a change in existing streets.

No subdivision shall be recorded until it has been submitted, reviewed and approved by the appropriate authorities and until the approval is entered on the face of the plat in writing by an authorized representative of Cabarrus County.

The review officer pursuant to G.S. 47-30.2, shall not certify a subdivision plat 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.

#### **Exemptions**

The following are considered exempt:

- (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 local government as shown in its subdivision regulations.
- (2) The division of land into parcels greater than 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 or for public transportation system corridors.
- (4) The division of a tract in single ownership whose entire area is no greater than 2 acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of the local government, as shown in its subdivision regulations.
- (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.

**Minor subdivision**

Minor subdivisions are divisions of property that include up to five lots in the project design. Lots are served by frontage on an existing public road or by a new public or private road that is created during the design and review process for the minor subdivision. New private roads are subject to a recorded maintenance agreement.

**Major subdivision**

Major subdivisions are divisions of property that include more than five lots in the project design. Lots are served by frontage on existing public roads or by a new public or private roads that are created during the design, review and approval process for the project. New private roads are subject to a recorded road maintenance agreement.

**Section 5 District development standards and subdivision design options**

District development standards, including minimum lot size, permitted density, setbacks, maximum height, etc. are established and outlined in Chapter 5. Subdivision design options are also located in Chapter 5.

**Flag lot design option**

When the dimensional standards of an existing lot of record are such that the lot standards in Chapter 5 cannot be met using traditional design standards, the “flag lot” design option may be used to divide the property.

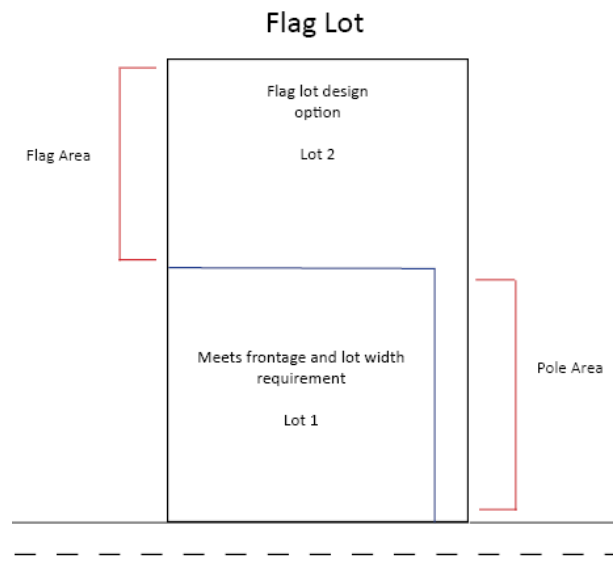
A flag lot is a lot with road frontage that is less than the minimum lot width required by individual district regulations. It is composed of a narrow “pole” extending from the street and a much wider "flag" section located behind a lot (or lots) having the required road frontage.

The lot line at the end of the flagpole, parallel to the road to which the “pole” connects is considered to be the front of the lot for setback purposes.

Flag lot design standards for residential districts:

- Minimum pole width is 15 feet for an individual lot or 25 feet for two lots.
- The pole area may be used when calculating minimum lot size only if the pole width meets the required average lot width standard for the zoning district.

Flag lot design standards for non-residential districts:



- Maximum length allowed for the pole portion of a non-residential lot is 250 feet
- Minimum pole width is 30 feet (NOTE: Wider pole width may be required to accommodate proposed use of property and landscape buffers)
- The pole area may not be used when calculating the minimum lot area unless the pole meets the required average lot width standard for the zoning district.

#### **Lot extends into road right-of-way**

For purposes of this Ordinance, where an existing lot of record or proposed lot extends into a road right of way, the acreage located in the right of way shall not be counted towards the minimum lot acreage requirement.

#### **Monuments**

Unless otherwise specified by this ordinance, the standards of practice for land surveying as adopted by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, under provisions of North Carolina General Statute Chapter 39, Article 5A shall apply.

### **Section 6 Application submittal, review and approval process**

#### **Applications**

A complete application, along with the applicable fees, must be submitted prior to subdivision review. Applications, along with check lists to facilitate design options and current standards of review, are available from the Planning Division and the Cabarrus County Planning web site.

#### **Exempt and minor subdivision projects**

##### **Step 1**

Applicants submitting exempt and minor subdivision projects are strongly encouraged to coordinate with Planning Staff prior to submittal. If the applicant would like to attend a pre-submittal meeting, the meeting can be scheduled by calling the Planning and Development Department.

##### **Step 2**

The applicant must file a complete application with the Planning and Development Department along with the appropriate fees.

##### **Step 3**

When the complete application is received by Planning Staff, Staff and appropriate agents will review the application materials, the proposed project design and the information shown on the

plat. Review comments will be forwarded to the applicant. The applicant will need to address the comments, revise the plat accordingly, and submit the corrections to the Planning Division.

Once the project design and plat are approved and the proposed plat has all required signatures, it may be recorded with the register of deeds office. Exempt and minor subdivision projects are reviewed administratively and do not require Planning and Zoning Commission review or approval.

### **Major subdivision projects**

Major subdivision projects follow a different approval process from exemptions and minor subdivisions. These projects are subject to review and approval by the Planning and Zoning Commission.

The review and approval process for major subdivision projects is handled in two phases.

#### **Phase 1**

The first phase is the preliminary plat review and approval phase. During this phase of the process:

- The preliminary plat design document is reviewed by staff and other appropriate agents.
- The Planning and Zoning Commission considers the preliminary plat design during a public meeting.
- The Planning and Zoning Commission approves, approves with conditions or denies the preliminary plat as presented.

#### **Phase 2**

The second phase of the process is the final platting process. During this phase of the process:

- The final plat is reviewed by staff and other appropriate agents for consistency with the preliminary plat design approved by the Planning and Zoning Commission.
- The final plat is approved or denied.
- The final plat is recorded in the register of deeds office.

Final plat approval is typically an administrative process, as long as the proposed final plat matches the approved preliminary plat design on file. If the final plat design presented is not consistent with the approved preliminary plat, additional Planning and Zoning Commission review and approval may be required.

### **Preliminary Plat Submittal Process**

#### **Step 1 Pre-application Meeting**

The first step in the major subdivision project submittal process is for the applicant to schedule and attend a pre-application meeting with staff. At this meeting, staff will discuss the proposed major subdivision project with the applicant, along with information related to the submittal and approval process, water and sewer availability, applicable land use plans, established deadlines for submittal and the format used for the Planning and Zoning Commission meeting. Design professionals working on the project with the applicant should attend this meeting as staff explains in detail the submittal requirements and materials needed for the application to be considered complete.

As part of Step 1, the applicant has the option to submit a sketch plan for general review and comment. During this process, the sketch plan is preliminarily reviewed by applicable agencies and comments provided to the applicant. The purpose of this process is to identify any red flags or challenges related to the proposed project design.

#### **Step 2 Neighborhood Meeting**

The second step is for the applicant to hold a neighborhood meeting with adjacent property owners to explain the proposed project, display the proposed preliminary plat and to answer questions that neighbors may have related to the proposal. The applicant is encouraged to incorporate design elements into the project that mitigate impacts and concerns identified during neighborhood meeting process. Minutes from the neighborhood meeting are considered part of a complete application and should be submitted along with the other required materials.

#### **Step 3 Filing the Application**

The applicant must file a complete application with the Planning and Development Department, along with the appropriate fees, for the submittal to be processed. Applicable materials required for a complete submittal will be determined at the pre-application meeting. Incomplete applications will not be accepted and will not be scheduled for consideration by the Planning and Zoning Commission.

When the complete application is received, Planning Staff and other appropriate agents will review the application and the proposed preliminary plat. Review comments will be forwarded to the applicant. The applicant will need to address the comments in writing, revise the preliminary plat accordingly and submit the corrections to the Planning Division.

Once directed that the preliminary plat is in compliance with the ordinance and ready to be presented to the Planning and Zoning Commission, the applicant will work with staff to submit the appropriate number of copies of the applicable documents and preliminary plat for the Planning and Zoning Commission meeting.

When the copies of the plan are received, Staff will begin to prepare a staff report and schedule a meeting date.

If the preliminary plat is approved by the Planning and Zoning Commission, the approval shall be good for two years from the date of approval.

- Final plats must be filed within two years of the approval date for the subdivision to remain active.
- Each time a final plat is approved and recorded with the Register of Deeds, the two year time frame is automatically extended based on the recordation date.

### **Appeals of subdivision plat decisions**

When a subdivision regulation adopted under this Ordinance provides that the decision whether to approve or deny a preliminary or final subdivision plat is quasi-judicial, then that decision of the Planning and Zoning Commission, acting as Board of Adjustment, shall be subject to review by the Superior Court by proceedings in the nature of certiorari. The provisions of G.S. 160D-406 and this section shall apply to those appeals.

When a subdivision regulation adopted under this Ordinance provides that the decision whether to approve or deny a preliminary or final subdivision plat is administrative, then that decision of the Planning and Zoning Commission shall be subject to review by filing an action in Superior Court seeking appropriate declaratory or equitable relief within 30 days from receipt of the written notice of the decision, which shall be made as provided in G.S. 160D-403(b).

For purposes of this section, a subdivision regulation shall be deemed to authorize a quasi-judicial decision if the decision-making entity under G.S. 160D-803(c) is authorized to decide whether to approve or deny the plat based not only upon whether the application complies with the specific requirements set forth in the regulation but also on whether the application complies with one or more generally stated standards requiring a discretionary decision to be made.

### **Section 7 Environmental standards permitting, overlay districts, Cabarrus Health Alliance approval**

#### **Floodplain development permits**

All proposed divisions of land are subject to the development standards outlined in Chapter 16, Floodplain Damage Prevention. A Floodplain Development Permit may be required for the proposed project to proceed.

#### **Erosion and sediment control permit**

All proposed projects in Cabarrus County are subject to Erosion and Sediment Control (ESC) permitting with the State of North Carolina Department of Energy, Mineral, and Land Resources.

Non-compliance with the terms of an ESC Permit issued by the State of North Carolina may result in withholding of zoning and/or building permits by Cabarrus County.

### **Stormwater permit**

All proposed projects in Cabarrus County are subject to Phase 2 Post-Construction Stormwater Permitting with the State of North Carolina Department of Energy, Mineral, and Land Resources. Non-compliance with the terms of a Phase 2 Post-Construction Permit issued by the State of North Carolina may result in withholding of zoning and/or building permits by Cabarrus County.

### **Overlay Districts and Zones**

Properties being subdivided may be subject to development standards outlined in Chapter 4, Overlay Districts and Zones. These standards include watershed restrictions, waterbody buffers, thoroughfare standards related to access points and landscape buffers, height restrictions and manufactured home installation design standards.

### **Cabarrus Health Alliance**

All lots in Cabarrus County must be served by individual well and septic systems or by governmental water and sewer. Individual well and waste water systems must be approved and permitted by the Cabarrus County Health Alliance prior to installation. Waste water disposal systems, including tanks and drain fields, may not be located in required stream buffers or in the regulated floodplain.

## **Section 8 Legal access, road types, Transportation Impact Analysis**

### **Legal access**

Recorded legal access and road frontage on a public or private road is required for all lots. When an existing lot of record does not abut an existing public or private road or have frontage on that road, and the owner wishes to subdivide the lot, access and frontage may be gained by construction of a public or a private road.

### **Road types and classification**

The arrangement, character, extent, width, grade, and location of all roads shall be reviewed in relation to existing and proposed transportation patterns, topographical and other natural features, public convenience and safety, proposed uses of lands to be served by such roads and existing or potential uses in adjoining areas.

Roads shall be classified and designed in accordance with the typical details outlined in Appendix A of this Ordinance.

Roads on a proposed subdivision plat shall be classified and labeled as either public or private. The proposed road right-of-way and typical shall also be provided on the plat.



## Public Roads

Roads that are classified and designated on a plat as public shall be subject to the following conditions.

- Designation of a road as public shall be conclusively presumed to be an offer of dedication to the public and permit public use.
- These roads shall be maintained by the developer/owner or the lot purchasers through a recorded road maintenance agreement until the respective governmental agency assumes responsibility for the maintenance of the roads.

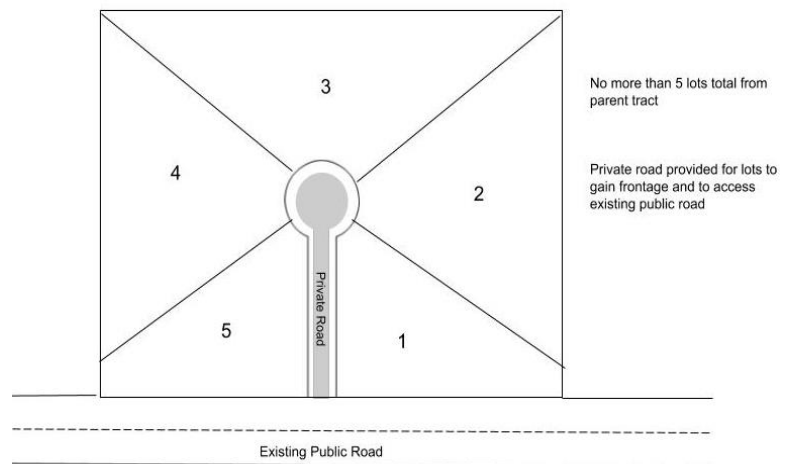
## Private roads serving more than five lots

New roads serving five or more lots may be permanently designated as a private road. These roads shall be built to the North Carolina Department of Transportation public standard for the appropriate type of road or street. Additionally, a road maintenance agreement shall be recorded in the office of the register of deeds to ensure that proper maintenance of the private road is provided by property owners gaining access from the road or street and for emergency service response. See Appendix A for road design standards.

## Alternate construction standard for private roads serving five lots or less

An alternate road construction standard is available for projects classified as minor subdivisions. No more than five lots total may take access from a private road using this construction standard.

- a. The private road right-of-way width must be at least 25 feet wide.
- b. The travel way must be at least 20 feet wide with all-weather access that supports the weight of fire apparatus at a minimum of 75,000 pounds.
- c. The road must be clear of any limbs or brush for a width of 20 feet and a height of 13 feet.
- d. When the proposed private road adjoins a paved road, the first 25 feet of the road must be paved when the private road adjoins a paved road.
- e. Vehicle turnarounds must be provided at the end of all dead end roads.
- f. Applicant must secure a permit from NCDOT to connect to state maintained roads.
- g. A private road maintenance agreement must be recorded in the office of the Register of Deeds of Cabarrus County to ensure proper maintenance of the road



Private roads developed using this alternate construction standard must be maintained by the adjoining property owners and/or the developer and will not be accepted for public maintenance.

New private roads must be installed and inspected prior to zoning permits being issued for lots served by the new road.

### **Transportation Impact Analysis (TIA) Required**

Depending on the size of the proposed development and the traffic being generated, a Transportation Impact Analysis, also known as a TIA, may be required. See Appendix A for additional information.

## **SECTION 9 Road design standards**

### **Road Cross-Sections and Pavement Structure**

Appropriate road cross-sections shall be approved by the Cabarrus County Planning and Zoning Commission and NCDOT. Appendix A contains currently approved cross-sections for Cabarrus County. Other cross-sections may be proposed and considered for approval by the Planning and Zoning Commission in conjunction with NCDOT.

Pavement structure is based on classification and is defined in Appendix A. An additional one inch surface course shall be applied to all roads when a majority of the construction is completed.

### **Curve Radius**

Property lines at the intersection of residential streets shall be rounded with a 25-foot minimum radius and a 35-foot maximum radius. Modifications may be approved by Cabarrus County and NCDOT in conjunction with the current NCDOT Subdivision Road Construction Standards Manual.

### **Medians and Islands**

Residential subdivision entrances may include a median or island. Structures, permanent materials or plantings within the island shall not obscure the visibility of cars entering a cross street for a distance of 25 feet back from the curb face of the cross street, unless a larger setback is needed due to inadequate sight distance.

### **Cul-de-sac Length**

NCDOT standards for cul-de-sac length must be met. No residential street cul-de-sac serving lots of 1 acre or greater in size shall exceed 1,000 feet. No residential street cul-de-sac serving lots less than one acre in size shall exceed 600 feet. The District Engineer for NCDOT has the right to vary this standard upon coordination with the Subdivision Administrator and County Engineer.

### **Coordination of road system and connections required**

The proposed road layout within a subdivision shall be coordinated with the existing and planned road system of the surrounding area and existing roads shall be extended whenever possible. This includes connection of the road system to the system within adjoining subdivisions and the alignment of entrance roads with existing roads. Roads that are aligned with existing roads or connected to existing roads shall be given the same name as the existing road.

### **Connections to adjacent properties**

Where necessary to provide access or to permit the reasonable future subdivision or development of adjacent land, rights-of-way and improvements shall be extended to the boundary of a development.

Connections shall be placed at locations where future connection can be made at a reasonable cost and shall not be directed into wetlands, creeks, steep slopes, or other locations that would make the future extension of the road impractical.

A temporary turnaround may be required where the dead end exceeds 250 feet in length. Where such a connection has been established on adjacent property, each new subdivision shall be required to extend the connection as a link in the proposed subdivision street network.

### **Half Streets Prohibited**

The dedication of half roads at the perimeter of a new subdivision is prohibited.

### **Adopted Land Use Plan or Transportation Plan**

Where a tract of land to be subdivided borders on a proposed thoroughfare or a road requiring improvement as indicated in adopted land use plan, community transportation plan, state transportation plan or the CRMPO Index, the owner/developer will be required to dedicate the necessary right of way for the proposed improvement. Setbacks shall be determined using the proposed right-of-way.

Where a parcel to be subdivided is crossed by any part of the proposed right-of-way for a thoroughfare included in the NC Transportation Improvement Program, and the location of that right-of-way has been further defined by accepted location procedures, the right-of-way for that thoroughfare shall be reserved by the owner/developer. The reservation of the right of way shall be for a period not to exceed three years from the date of approval of the preliminary plat. During that period, the property may be acquired by the State or other governmental unit at fair market value.

## **Section 10 Sidewalks, street trees and street lights**

### **Sidewalks**

Sidewalks for residential development shall be installed as follows: In residential developments with minimum lot sizes one acre or greater, no sidewalks shall be required except where an existing

school, public park, open space, trail or greenway lies within ¼-mile of the proposed subdivision. A safe pedestrian connection between the subdivision and the off-site facility shall be planned and improvements constructed by the developer. In all other residential developments, sidewalks shall be installed on both sides of the streets. Handicap ramps shall be placed at each intersection in accordance with ADA guidelines. Pedestrian crosswalks are required on any residential collector street at each intersection and any mid-block pedestrian or bicycle connections.

### Street Trees

Street trees shall be required along all residential streets at a rate of one large canopy tree for every 40 linear feet, spaced a maximum of 50 feet apart. All street trees shall be a minimum of 2½ caliper inches at time of planting. A minimum of two different species of trees is required to be planted. Credit shall be provided for any existing tree with a minimum DBH of 6 inches that is preserved within the planting area or a median.

### Streetlights

Streetlights shall be provided in developments with a proposed density of three (3) or more units per acre.

## Section 11 Access Management

### Access to Public Roads

1. Direct access to public roads is governed by the classification of the road and is determined by the NCDOT. No lots may directly access a road classified as a major thoroughfare. These lots must be served by an internal road system.
2. Access may be limited where lots abut minor thoroughfares and major collector roads. NCDOT may require shared access points when access is limited to the public facility.
3. Connections to, or through, adjacent properties may be required when access points to public roads are limited.

Example of shared access required by NCDOT



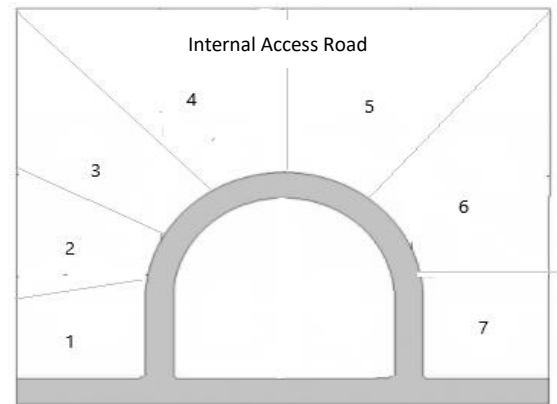
### Shared Access

When more than 5 lots are proposed for a new subdivision project, an internal, connected road system shall be provided.

### Multiple Entrances Required

To accommodate emergency service response and to create an alternate road network, the following standards apply to all proposed developments.

1. Any development of 30 lots or more shall include at least two access points.



2. Any development of 75 lots or more must have at least two access points to existing public roads or streets.
  - a. No more than 30 zoning permits will be issued before the required second access must be installed.
3. Subdivisions of 250 or more lots shall provide three separate access points.
  - a. No more than 30 zoning permits will be issued before the required second access must be installed.
  - b. No more than 125 zoning permits will be issued before the required third access must be installed.

Installation of access points shall be coordinated with construction phasing to provide emergency access for the areas being developed and to areas under construction.

Properties located in the Thoroughfare Overlay Zone are subject to additional standards related to access. See Chapter 4 for additional information.

## **Section 12 Construction drawing approval, construction access, streambed maintenance**

### **Construction plan approval**

All road construction drawings must be approved by NCDOT and evidence of that approval provided to the Planning Division before construction may begin.

See NCDOT Subdivision Road Construction Standards for minimum speed, horizontal, vertical, etc. design standards. This includes but is not limited to, terrain classification, and minimum centerline radius. Minimum k values, minimum distance between reverse curves, etc.

### **Preliminary plat and construction drawing approval required prior to construction**

Construction or installation of improvements shall commence in a proposed subdivision only after the preliminary plat has been approved and all plans and specifications for roads, utilities, stormwater, and sedimentation and erosion control have been approved by the appropriate agencies.

### **Construction phase and connections to paved roads**

During the construction phase of a project, the proposed road, when adjoining an existing paved road, shall have a gravel travel way of at least one hundred (100) feet in length, twenty (20) feet in width, with a gravel base of at least six (6) inches to help eliminate excessive mud and other materials from being carried onto the paved road.

### **Maintenance of streambed**

During the construction, preparation, arrangement, and installation of subdivision improvements and facilities in subdivisions located at or along streams, the developer shall maintain the streambed of each stream, creek, or backwash channel contiguous to the subdivision in an unobstructed state.

The developer shall also remove from the channel and banks of the stream all debris, logs, timber, junk and other accumulations that would clog or dam the passage of waters in their downstream course or that would create a flooding condition. For areas where open space has been turned over to the home owner's association prior to completion of the development, it shall be the responsibility of the home owner's association to maintain the streambed.

**Section 13 When access does not meet current standards**

When an existing lot of record is accessed by a right-of-way that does not meet current minimum standards or is served by an access easement, the lot may be divided, provided the following standards are met:

- a. The right of way or easement is shown on a recorded plat, referenced in the recorded deed for the existing lot of record being divided and is shown in the Cabarrus County GIS land records system.
- b. The travel way must be at least 20 feet wide with all-weather access that supports the weight of fire apparatus at a minimum of 75,000 pounds.
- c. The road must be clear of any limbs or brush for a width of 20 feet and a height of 13 feet.
- d. The first 25 linear feet of the road must be paved when the private road adjoins a paved road.
- e. If a road maintenance agreement is in place for the road, the agreement shall be updated to include the new lot(s) and owner(s) and recorded with the Register of Deeds Office.
- f. If no road maintenance agreement is in place, a road maintenance agreement shall be approved by the County, signed by the adjacent property owners and recorded in the Register of Deeds Office.

**Section 14 Proposed project Names, street names, street signs, posting of assigned 911 address**

**Approval required for proposed project, subdivision and road names**

The proposed name of a subdivision or its roads shall not duplicate nor closely approximate, either phonetically or by spelling, the name of an existing development, subdivision or road within the County, within any municipality within the County, or in an adjacent County or municipality if the development is in close proximity to another jurisdiction.

All proposed subdivision, project and road names must be approved by the Cabarrus County E911 Addressing Coordinator. Where a street is likely to become part of a city maintained system, road names shall be in accordance with that city's standards for suffixes and direction.

Any proposed name changes for existing or proposed developments, subdivisions or roads must be reviewed and approved by the Cabarrus County E911 Coordinator. Depending on the proposed

change, approval may be required from the Cabarrus County Board of Commissioners and/or the North Carolina Department of Transportation Board. Cabarrus County reserves the right to alter street names when public safety concerns arise or when 911 addressing conflicts occur.

### Street sign installation

The developer shall bear the cost and the County shall install street signs at all intersections as shown on the final plat. These signs will be erected only after all road and utility construction has been completed. Street signs shall correspond to approved names on the recorded final plats.

The County may approve decorative street signs. County requirements such as letter size, sign content and reflectivity, however, shall apply. Where replacement of such a sign is necessary, the homeowner's association for the affected development or subdivision shall replace the sign. When situations arise where the County is required to replace a decorative street sign, the sign shall be replaced with a standard sign.

### Posting of 911 Address

Construction sites shall be properly identified with a sign that shows the assigned 911 address. When construction is complete, all structures shall be properly posted with the assigned 911 address.

Residential addresses should be posted clearly in three inch or larger numbers near the front door and on the mailbox. The numbers should be clearly visible from the road and should contrast for increased visibility.

If a house is located more than 50 feet from the road and does not have a mailbox, the address should be displayed on a post clearly visible at the driveway entrance.

Commercial building addresses should be posted clearly in six inch or larger numbers near the entry and on the mailbox if the business utilizes on site mail delivery. The numbers should be clearly visible from the road and should contrast for increased visibility.



## Section 15 Infrastructure Guarantees

### Guarantee to Complete Infrastructure Work

When approval of a final plat is requested prior to completion of all required improvements in that portion of a development, the applicant may submit an Infrastructure Guarantee Application.

Guarantee submittals must include a detailed estimate of all required improvements on forms provided by the Cabarrus County Planning Department. The estimates provided shall be signed by a

licensed North Carolina licensed contractor or North Carolina registered engineer (as applicable for type of guarantee requested). Typical improvements that may be guaranteed in new subdivisions include the final lift for roads, mulching and seeding, street trees and sidewalks.

Estimates shall be reviewed and approved by the County Engineer. The applicant shall be responsible for all costs associated with the engineering review.

Upon estimate concurrence by the County Engineer, a cash deposit held by Cabarrus County, a letter of credit or performance bond of surety acceptable to the County shall be made out to Cabarrus County in the amount of 125% of the costs determined by the estimates.

The guarantee document shall include the following and must remain in continuous effect until the work that it is guaranteeing is performed:

- Cabarrus County Government as the Obligee
- The name of the project, including the development phase, if applicable
- A list of the improvements being guaranteed
- The expiration date of the document can be no earlier than the date the improvements are completed

#### **Guarantee of Infrastructure Work Reduction**

Prior to the reduction or release of the 125% amount required for the completion of improvements, the applicant must submit an Infrastructure Guarantee Release Application.

The following information must be provided as part of the application:

1. Proof satisfactory to the County that the applicable guaranteed improvement has been made or installed to the required specifications.

Upon proof of completion, the amount required for that particular improvement may be released from the total amount of the required guarantee. Once the amount is released, a new guarantee must be provided to replace the original, or prior, guarantee for the work.

#### **Release**

The total amount of the guarantee for required improvements may be released only when all improvements are complete and final inspections of the work approved.

#### **Return of Guarantee**

Original guarantees being reduced, or where all guaranteed work has been completed, will be returned to the applicant.



### **Engineering Costs**

The applicant shall be responsible for all costs associated with the engineering review and/or inspections required for guarantees of work applications and releases.

### **Section 16 Open Space Requirements and Timing of Required Improvements**

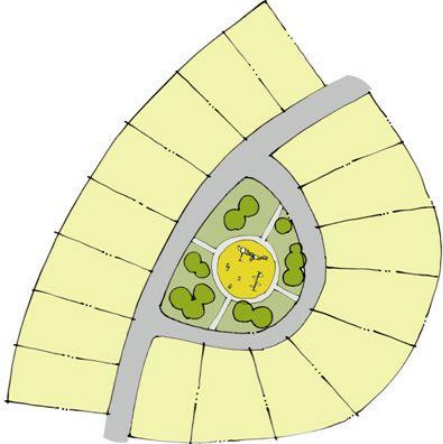



Open space shall be provided and designed in accordance with the standards of Chapter 5, District Development Standards.

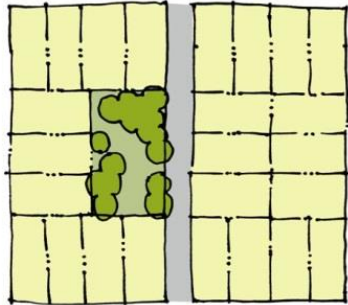
Developers are responsible for making improvements to property designated for park, playground and open space purposes. Improvement shall be in accordance with the type of recreational open space provided and as outlined in Figure 1


Additionally, for all proposed recreation areas, the developer shall be responsible for:

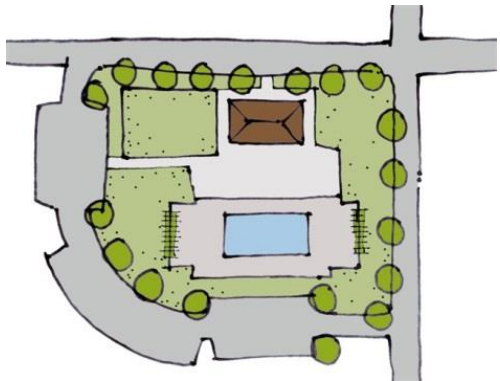
- Providing finished grading
- Establishing turf for all disturbed areas
- Providing landscaping as required
- Paving walkways or installing trails as required for park, open space or greenway connections
- Complying with NC Building Code Chapter 11 and ANSI A117.1

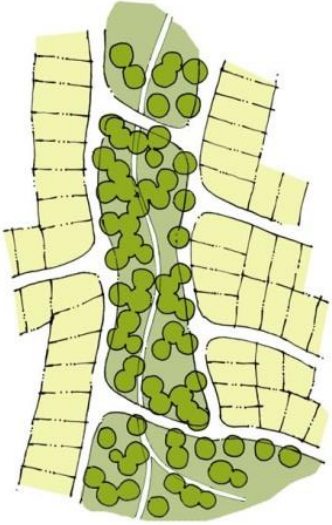
**FIGURE 1 Open Space Design and Designation**

<p>Playgrounds</p>	<p>Playgrounds provide areas for children and families to play and exercise.</p> <p>Playgrounds may be built within Squares, Greens, Mini-Parks and Neighborhood Parks or may stand alone within a residential block.</p> <p>Playgrounds shall be designed with commercial grade play equipment and shall include separate areas and equipment designed for multiple age groups. These age groups include Toddler (6-23 months), Pre-School (Ages 2-5) and School Age (Ages 6-12).</p> <p>These areas may also include picnic tables, shelters and grills.</p>	<p>Minimum requirements, in addition to play equipment, includes 2 park benches, 1 trash receptacle and 1 pet waste receptacle.</p> <p>The design must include a shock absorbing surface with a maximum 2% slope. Surfacing must meet all critical fall height requirements for the proposed playground design and shall be provided as part of permitting.</p> <p>Natural or manmade screening or buffer areas shall be provided in the design to mitigate impacts to adjacent residential properties.</p> <p>Playground areas shall be properly maintained throughout the year and inspected on an annual basis for safety hazards.</p>	   
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<p style="text-align: center;">Mini-Park</p>	<p>The Mini-Park provides active recreational facilities for use by the residents of the immediate surrounding neighborhood within the development.</p> <p>Minimum size is from 1 acre.</p> <p>Design may include: tennis courts, basketball courts, playgrounds, picnic area, grills, or small covered area for sitting.</p>	<p>Each mini-park shall be centrally located and easily accessible so that it can be conveniently and safely reached by the surrounding neighborhood.</p> <p>Mini-parks shall be attractively landscaped and be provided with sufficient natural or man-made screening or buffer areas to minimize any negative impacts upon adjacent residences.</p>	 <p>The diagram shows a 4x4 grid of yellow rectangular lots. A central vertical road runs between the second and third columns. A mini-park, represented by a cluster of green circles and a larger green shape, is located in the center of the grid, between the second and third columns and between the second and third rows. The mini-park is centrally located relative to the surrounding residential lots.</p>
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<p>Neighborhood Park</p>	<p>Neighborhood parks are designed for active and/or passive recreation use.</p> <p>Park size is 1-5 acres.</p> <p>Park size can exceed 5 acres if the open space serves an entire neighborhood or incorporates physical features that are an asset to the community (i.e. lake or river frontage, unique natural areas, significant stands of trees, preserved natural habitats, etc.).</p>	<p>Neighborhood parks shall include benches and walking paths, tennis courts, basketball courts, volleyball courts, ball fields, swings, slides, playgrounds, dog parks, benches, restrooms, picnic shelters, picnic tables, walking paths, greenways or trails.</p> <p>Natural or manmade screening or buffer areas shall be provided in the design to mitigate impacts to adjacent residential properties.</p>	 <p>The diagram shows a central park area surrounded by a grid of residential lots. The park contains a large green field, a red building, a yellow building, and various green spaces with trees. The park is bordered by a grey path or fence, and the surrounding residential lots are colored yellow.</p>
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<p>Amenity Area</p>	<p>Amenity Areas provide recreational opportunities for all residents of a community or residents of a neighborhood in a larger community. They include a range of facilities like club houses, swimming pools, gazebos, outdoor eating/grilling areas, indoor/outdoor exercise facilities, community meeting rooms, community kitchens, walking, biking or exercise trails, and playground areas.</p>	<p>Pools should be 1500 sq. ft. minimum.</p> <p>Natural or manmade screening or buffer areas shall be provided in the design to mitigate impacts to adjacent residential properties.</p>	 <p>The diagram is a site plan for an amenity area. It shows a central blue rectangular pool. To the left of the pool is a brown rectangular structure, likely a clubhouse. The area is surrounded by green circular symbols representing trees or landscaping. The entire amenity area is enclosed by a grey boundary, possibly a road or fence. The plan is oriented with a road at the top and a curved boundary on the left side.</p>
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<p>Greenways</p>	<p>Greenways typically follow natural or constructed features such as streams or roads. They are designed to incorporate natural settings such as creeks and significant stands of trees. They are used for transportation, recreation, and environmental protection.</p> <p>Greenways differ from parks; plazas and squares in that their detailing is natural and may contain irregular topography.</p>	<p>Design of the greenway should incorporate conservation of existing mature tree canopy and landscape, protection of existing natural drainage ways and creeks.</p> <p>Improvements may include paved walks/trails and benches, and trash receptacles.</p> <p>Natural or manmade screening or buffer areas shall be provided in the design to mitigate impacts to adjacent residential properties.</p>	
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- Playgrounds must meet all federal, state, and local regulations and guidelines and be compliant with the Americans with Disabilities Act.
- Swimming pools must meet all required construction and life safety codes for Cabarrus County and for the State of North Carolina.

**Timing of recreational improvements**

Recreational improvements shall be implemented no later than when 50% of the total approved lots for the subdivision have been permitted through zoning. Nothing, however, should be construed as barring a developer from immediate development of facilities and improvements to provide recreational opportunities to residents of the new development.

**Failure to meet requirements**

Failure to meet the requirements for timing of recreational improvements, may result in the cessation of the issuance of zoning compliance permits for the remainder of the subdivision. Issuance of zoning compliance permits may begin after the recreational improvement requirements are met. In addition, the County may withhold approval of additional final plats for the project unless and until the requirements of this section are met.



**CERTIFICATE OF APPROVAL BY THE SUBDIVISION ADMINISTRATOR**

I, \_\_\_\_\_, Subdivision Administrator for Cabarrus County hereby approve the final plat for \_\_\_\_\_, this \_\_\_\_\_ (day) of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

\_\_\_\_\_  
Subdivision Administrator

**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION CERTIFICATES**

**CERTIFICATE OF APPROVAL OF STREETS AND STREET DRAINAGE PLANS**

Department of Transportation  
Division of Highways  
Proposed Subdivision Roads  
Construction Standards Certification

APPROVED \_\_\_\_\_  
Date District Engineer

**DIVISION OF HIGHWAYS DISTRICT ENGINEER CERTIFICATE**

I hereby certify that the right of way dedication along the existing state maintained roadway(s) shown on this plat is approved and accepted as public right of way by the North Carolina Department of Transportation, Division of Highway only North Carolina Department of Transportation approved structures are to be constructed on public right of way.

\_\_\_\_\_  
District Engineer Date





