

Greene County, North Carolina



Subdivision Ordinance

May 22, 2018

**Greene County
Subdivision Ordinance
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A GREENE COUNTY BOARD OF COMMISSIONERS ORDINANCE
OF REGULATIONS OF SUBDIVISION OF LAND WITHIN COUNTY JURISDICTION

ENACTMENT:

THIS ORDINANCE ESTABLISHES ADMINISTRATION, ENFORCEMENT AND AMENDMENT RULES, REGULATIONS AND STANDARDS OF LAND SUBDIVISION FOR THE COUNTY OF GREENE, NORTH CAROLINA IN ACCORDNACE WITH THE PROVISIONS OF NORTH CAROLINA GENERAL STATUTES CHAPTER 153A-18.

WHEREAS, The Greene County Board of Commissioners is of the opinion that is necessary to promote development in Greene County in an orderly fashion essential to public health and safety in order to protect and maintain the integrity of the County as it pertains to streets, both existing and planned; public facilities and services; dedication and/or reservations of right-of-ways or easements for the use of public utilities; and for safe an orderly access by the population with regards to traffic to avoid congestion and overcrowding all for the general welfare of Greene County;

WEREAS, The Greene County Board of Commissioners has given due public notice of public hearings associated to the subdivisions regulations contained in this Ordinance and held said public hearings;

WHEREAS, All North Carolina General Statues and Greene County Zoning Regulations have been met with regards to land subdivision and use;

NOW THEREFORE BE IT ORDIANED ON 22ND DAY OF MAY OF THE YEAR 2018, THAT THE GREENE COUNTY BOARD OF COMMISSIONERS HAS ADOPTED THE SUBSEQUENT ORDIANANCE OF LAND SUBDIVISION.

Article 1: General Provisions

Section 1.0 AUTHORITY

This chapter is adopted under the authority of G.S. §§ 153A-330 through 153A-335.

Section 1.1 JURISDICTION

On and after the effective date of this chapter, this ordinance shall govern subdivision of land within the territorial jurisdiction of the county except those lands lying within the subdivision jurisdiction of any municipality. This chapter may also regulate subdivision activity within the jurisdiction of any municipality whose governing body agrees, by resolution, to such applicability. Unless otherwise specified in the resolution, the withdrawing party must provide written notice to the county two years in advance of the withdrawal, as provided by G.S. § 160A-360(g).

Section 1.2 TITLE

This chapter shall be known and may be cited as the Greene County Subdivision Ordinance, and may be referred to as the Subdivision Ordinance.

Section 1.3 METES AND BOUNDS TRANSFER

The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land does not exempt the transaction from this ordinance. A plat shall be prepared, approved and recorded pursuant to this ordinance whenever subdivision of land takes place unless exempted by statute.

Section 1.4 PURPOSE

The purpose of this chapter is to support and guide the proper subdivision of land within the jurisdiction of the county in order to promote the public health, safety and general welfare of the citizens. The chapter is designed to promote the orderly development of the county, the coordination of streets and highways within proposed subdivisions with existing or planned streets and highways with other public facilities, the dedication or reservation of right-of-way or easements for street and utility purposes, and the distribution of population and traffic, in a manner that will avoid congestion and overcrowding and which will create conditions essential to public health, safety, and general welfare. This chapter is designed to facilitate adequate provision of water, sewage, parks, schools, and playgrounds, and to facilitate the further resubdivision of large tracts into smaller parcels of land.

Section 1.5 COMPLIANCE WITH REGULATIONS

After the effective date of this chapter, a final plat shall be prepared, approved and recorded as provided in this Ordinance whenever any subdivision of land takes place in the county. The Register of Deeds shall not file or record a plat of a subdivision of land within the territorial jurisdiction of the county that has not been approved in accordance with this ordinance, nor shall the Clerk of Superior Court order or direct the recording of a plat if the recording would be in conflict with this chapter. No street shall be recommended for acceptance for maintenance by the state nor shall any building permit be issued for the construction of any building or other improvement requiring a permit, upon any land concerning which a plat is required to be approved, unless and until the

requirements set forth in this chapter have been met. Proposed subdivisions must comply in all respects with the requirements of any officially adopted land use regulations.

Section 1.6 CONFORMANCE WITH OFFICIAL PLANS

All subdivisions shall comply with the principles, regulations and objectives of the Greene County Code of Ordinances, as amended from time to time, and all other officially adopted plans and policies of the County. Proposed subdivisions must also comply with the Land Usage regulations of the County. It is not intended that this chapter 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. Wherever the provisions of any other law, ordinance, or regulation impose higher standards than are required by the provisions of this chapter, the provisions of such law, ordinance or regulation shall govern. However, where this chapter imposes greater restrictions, the provisions of this chapter shall govern.

Section 1.7 SUBDIVISION ADMINISTRATOR

The holder of the Office of County Manager, or the County Manager's designee, is hereby appointed to serve as Subdivision Administrator.

Article 2: Definitions

Section 2.0 DEFINITIONS

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUTHORIZED AGENT. One who is acting as representative for, or by the authority of the subdivider.

BLOCK. A piece of land bounded on one or more sides by streets or roads.

BOARD OF COMMISSIONERS. The Board of County Commissioners; County Board of Commissioners; the governing body of the County of Greene, North Carolina.

BUFFER STRIP. An area of land that shall not be developed, required to separate land uses deemed incompatible. Front yard setbacks and side yards are examples of buffers. In some cases, additional screening, landscaped or otherwise, may be required.

BUILDING SETBACK LINE. A line parallel to the property line which establishes the minimum allowable distance between nearest portions of any buildings, steps, eaves, gutters, and similar fixtures, and the street right-of-way line when measured perpendicularly thereto.

COLLECTOR STREET. A Street which serves the connecting street system between local residential streets and the thoroughfare system.

CORNER LOT. A lot which occupies the interior angle at the intersection of two street lines. The street line forming the least frontage shall be deemed the front of the lot except where the two street lines are equal, in which case, the owner shall be required to specify which the front when requesting a building permit.

CUL-DE-SAC. A short street having one end open to traffic and the other end being permanently terminated and a vehicular turn around provided.

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.

DISCLOSURE STATEMENT. A statement prepared and signed by the subdivider and the buyer of the subject real estate, fully and completely disclosing the status (whether public or private) of the street upon which the lot fronts. The statement shall also include an explanation of the consequences and responsibility as to maintenance and construction of proposed roadways.

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

EASEMENT. A grant by the property owner for use by the public or others of a strip of land for specified purposes.

FLAG LOT. A type of lot that is shaped like a flag, with a narrow strip (flagpole) providing access from the larger buildable area (the flag) to the lot's frontage.

INTERIOR LOT. A lot other than a corner lot with only one frontage on a street.

LOT. A portion of a subdivision or any other parcel of land intended as a unit for transfer of ownership or for development, or both. The word LOT includes the word PARCEL or PLOT.

LOT OF RECORD. A lot which is a part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds of Greene County prior to the adoption of this chapter; or, a lot described by metes and bounds, the description of which has been so recorded prior to the adoption of this chapter.

OFFICIAL MAPS OR PLAN (LAND DEVELOPMENT PLAN OR COMPREHENSIVE PLAN). Any maps or plans officially adopted by the County Board of Commissioners as a guide for the development of the county.

OPEN SPACE. An area (land and/or water) generally lacking in man-made structures and reserved for enjoyment in its unaltered state.

PLANNED UNIT DEVELOPMENT. A land development project comprehensively planned as an entity via a unitary site plan which permits flexibility in building siting, mixtures of building types and land uses, recreational areas and usable open spaces, and the preservation of significant natural features. Included within this definition shall be planned unit residential developments and planned unit non-residential developments or combination thereof.

PLANNING BOARD. The Planning Board of Greene County.

PLAT. A map or plan delineating a tract or parcel of land to be subdivided, land to be dedicated for public use, or right-of-way for street or utility purposes. The word PLAT shall include the terms MAP, PLAT, and PLAN.

PLAT, FINAL. A map of land subdivision prepared in a form suitable for filing of record with necessary affidavits, dedications, acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets, public areas, and other dimensions of land, as prescribed by this chapter.

PLAT, PRELIMINARY. A map of proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land, as prescribed by this chapter.

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

PUBLIC SEWAGE DISPOSAL SYSTEM. A system serving two or more dwelling units and approved by the Greene County Health Department and the North Carolina Department of Environment, Health, and Natural Resources or its successor.

RECREATION AREA or PARK. An area of land or combination of land and water resources that is developed for active and/or passive recreation pursuits with various man-made features that accommodate such activities.

RESERVATION. A reservation of land not involving the transfer of property rights. It simply constitutes an obligation to keep property free from development for a stated period of time.

REVERSED FRONTAGE LOT. A lot on which the frontage is at right angles or approximately right angles (interior angles less than 135°) 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.

STREETS. A right-of-way dedicated to the public for vehicular traffic.

- (A) FREEWAY, EXPRESSWAY, or PARKWAY. Divided multi-lane roadway designed to carry large volumes of traffic at relatively high speeds. A FREEWAY provides 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 non-commercial traffic, with full or partial control of access, and usually located within a park or a ribbon of park-like development.
- (B) FRONTAGE ROAD. A street that is parallel to a fully or partially access controlled street which functions to provide controlled access to adjacent land.
- (C) 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.
- (D) MAJOR THOROUGHFARES. Consist of interstate, other freeway and expressway links, and major streets that provide for the expeditious movement of volumes of traffic within and through urban areas. LOCAL STREET. Any link not part of a higher order urban system and which serves primarily to provide direct access to abutting land and access to higher systems.

STRUCTURE. Anything constructed or erected, the use of which requires more or less permanent location on the ground of which is attached to something having more or less permanent location on the ground.

SUBDIVIDER. Any person, firm, or corporation who subdivides or develops any land deemed to be a subdivision as defined in this chapter.

SUBDIVISION. 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 are created for the purpose of sale or building development, whether immediate or future, and includes all division of land involving the dedication of a new street or a change in existing streets; however, the following is not included within this definition and is not subject to any regulations enacted pursuant to this part:

- 1) The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of Greene County as shown in its subdivision ordinance.
- 2) The division of land into parcels greater than 10 acres if no street right-of-way dedication is involved.
- 3) The public acquisition by purchase of strips of land for widening or opening streets or for public transportation system corridors.
- 4) The division of a tract in single ownership the entire area of which is no greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of Greene County as shown in their subdivision ordinance.

For types of Subdivisions, see Article 4: Types of Subdivision.

THROUGH LOT or 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.

Section 2.1 **TENSE AND NUMBER**

2.1.1 The present tense includes future and present tense and vice versa.

2.1.2 The singular number includes the plural and vice versa.

Section 2.2 **WORD INTERPRETATION**

2.2.1 The word "MAY" is permissive.

2.2.2 The words "SHALL" and "WILL" are mandatory.

2.2.3 The word "BUILDING" includes the word "STRUCTURE"

2.2.4 The word "COUNTY" shall mean the "COUNTY OF GREENE"

2.2.5 The word "BOARD OF COMMISSIONERS" or "COUNTY COMMISSIONERS" shall mean the "GREENE COUNTY BOARD OF COUNTY COMMISSIONERS".

2.2.6 The words "REGISTER OF DEEDS" shall mean the "REGISTER OF DEEDS FOR GREENE COUNTY, NORTH CAROLINA".

2.2.7 The word "STREET" includes the words "ROADS" and "HIGHWAY".

Section 2.3 **MINIMUM REQUIREMENTS**

In interpreting and applying the provisions of this ordinance, all subdivisions shall be held to the minimum requirements set forth, for the promotion of the public safety, health and general welfare of Greene County and shall neither limit nor repeal any other powers granted under state statutes.

Section 2.4 **ROUNDING NUMBERS**

All calculations that result in a fraction or part of a whole number shall be rounded up to the next highest whole number except when calculating density. For density calculations, any fraction shall rounded down to the nearest whole number.

Article 3: Legal Provisions

Section 3.0 **IN GENERAL**

After the effective date of this ordinance, no subdivision plat of land within the county's jurisdiction shall be filed or recorded until it has been submitted to and approved by the Greene County Planning Board or Greene County Subdivision Administrator, as set forth herein and until such approval is entered in writing on the face of the plat by the Subdivision Administrator.

The Register of Deeds shall not file or record a plat of subdivision of land located within the territorial jurisdiction of the county, subject to this ordinance, 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 3.1 **EFFECT OF PLAT APPROVAL ON DEDICATIONS**

Pursuant to G.S. 153A-33, the approval of a plat does not constitute or effect automatic acceptance by the county or the public of the dedication of any street or other ground, public utility line, or other public use or facility shown on the plat. Where property is dedicated to a public use on a plat, the county or other designated public entity may unilaterally elect to accept the dedication at any time of its convenience but the property shall remain reserved for such public use.

Section 3.2 **PENALTIES**

3.2.1 Criminal penalty. After the effective date of this chapter, any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this chapter, thereafter subdivides his or her land in violation of this chapter 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 chapter and recorded in the Office of the Greene County Register of Deeds, shall be guilty of a misdemeanor and shall be subject, upon conviction, to fine and/or imprisonment as provided by G.S. § 14-4. 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.

3.2.2 Civil penalty. The violation of any provision of this chapter shall subject the offender to a civil penalty, as provided for in G.S. § 153A-123, in the amount of \$25 per day to be recovered by the county. Violators shall be issued a written citation which must be paid within ten days.

3.2.3 Equitable Remedies. Notwithstanding any other provision of this section, this chapter may be enforced by appropriate equitable remedies issuing from a court of competent jurisdiction as provided for in G.S. § 153A-123(d). The county through its attorney or other official designated by the Board of Commissioners may enjoin illegal subdivision, transfer or sale of land by action for injunction and order of abatement.

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

3.2.5 **Continuing violations.** Each day's continuing violation of this chapter shall be considered a separate and distinct offense.

Section 3.3 **VARIANCES**

The Board of Commissioners may authorize a variance from this ordinance when, in its opinion, undue hardship may result from strict compliance.

3.3.1 In order to conclude that undue hardship may result, the Planning Board (in its recommendation) and the Board of Commissioners (in its decision) shall reach the following conclusions and shall record findings of fact supporting these conclusions:

- a. There are special circumstances or conditions affecting the property such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his or her land,
- b. The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner,
- c. 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 chapter, and
- d. 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 such property is situated.

Section 3.4. **SEVERABILITY**

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 3.5 **PLANNING BOARD AND DISCRETIONARY AUTHORITY**

Unless otherwise prohibited by federal, state, local law or ordinance, the Planning Board has discretionary authority upon written request of the subdivider to exceed size, length, or height requirements stated in this Subdivision Ordinance by ten percent (10%). Requests for variances beyond this amount must be referred to the Board of Commissioners. When deciding whether to exercise its discretionary authority, the Planning Board should be guided by the principles stated in Section 3.3.

Section 3.6 **AMENDMENTS**

3.6.1 The Board of Commissioners may from time to time amend the terms of this chapter, but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation. The Planning Board shall have 30 days from the time the proposed amendment is submitted to it within which to submit its report. If the Planning Board fails to submit a report within the specified time, it shall be deemed to have

recommended approval of the amendment. This requirement may be waived by the Board of Commissioners

3.6.2 No amendment shall be adopted by the governing body 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 county area at least once a week for two successive calendar weeks prior to the hearing. The initial notice shall appear not more than 25 nor less than 10 days prior to the hearing date. In computing the 10 and 25-day periods, the date of publication is not to be counted, but the date of the hearing is. Substituted notice may be used if allowed by statute.

Article 4: Types of Subdivisions

Section 4.0 MAJOR SUBDIVISION

Any division of land meeting the improvement and design requirements where street improvements and/or right-of-way dedication is required to furnish public or private street frontage to each lot unless qualified as an exemption as defined in Section 4.2

Section 4.1 MINOR SUBDIVISION

Any division of land meeting the improvement and design requirements where each lot will have street frontage along an existing public or private street, where no new street improvements and/or right-of-way dedication is required unless qualified as an exemption as defined in Section 4.2. If a single owner creates a cumulative total of three lots out of a single parcel using the minor subdivision provisions of this ordinance, any subsequent division shall be treated as a Major Subdivision and will be required to follow the Major Subdivision approval process.

Section 4.2 EXEMPTION

The following exemptions shall not be included within any of the above definitions nor be subject to any regulations enacted pursuant to this ordinance, however, all lots created under these exemptions must meet the wastewater, area, and setback standards of this ordinance and the county zoning ordinance:

1. The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of Greene County as shown in their subdivision ordinance.
2. The division of land into parcels greater than 10 acres if no street right-of-way dedication is involved.
3. The public acquisition by purchase of strips of land for widening or opening streets or for public transportation system corridors.
4. The division of a tract in single ownership the entire area of which is no greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the county as shown by its subdivision ordinance.
5. Family Subdivision Exemption applies to any subdivision of land being conveyed for the purpose of family ownership to the members of the owner's immediate family, including spouses, brothers, sisters, sons and daughters, parents, grandparents and grandchildren. Family Exemptions must meet the following requirements:
 - a. A plat prepared by a registered North Carolina Professional Land Surveyor or Engineer listing the family members and corresponding lots being conveyed.
 - b. A statement declaring that this subdivision is being created for the purpose of family ownership.
 - c. All maintenance of the access and utility easements shall be the responsibility of the lot owners and shall be noted on the plat.

4.2.1 Plat with Exemptions Any map of an exemption shall be presented with the Exemption Certification with the noted exemption type for the Subdivision Administrator to sign-off prior to recordation. If the Subdivision Administrator determines that the intent to make use of any of these exemptions is to circumvent the provisions of the Subdivision Ordinance, then the use of this exemption may be denied. The applicant may then appeal the subdivision administrator's decision to the Planning Board.

Article 5: Subdivision Procedure of Review

Section 5.0 IN GENERAL

Pursuant to North Carolina General Statute's 153A-331, a final plat shall be prepared, approved, and recorded according to the provisions of this Ordinance whenever any subdivision of land takes place. The subdivider may qualify for an exemption to filing a subdivision plat if conditions in Section 4.2 are met. All subdivision plats for land within the subdivision jurisdiction of Greene County shall be drawn by a Professional Land Surveyor or Professional Engineer and follow the procedures of this Ordinance.

5.0.1 Review Officer Certificate All plats to be recorded in the Greene County Registry must be reviewed by the Greene County Review Officer and include the Review Officer Certificate. The signature of the Greene County Review Officer and approval date shall be required prior to the recoding of any plat.

5.0.2 Plat Size Requirements All plats that subdivide or create a new parcel or tract of land, not limited to those defined as a subdivision, exemption, or minor subdivision, shall follow the size and mapping requirements as stated in North Carolina GS 47-30.

5.0.3 Resubdivision and Recombination For any replatting or resubdivision of land, or combinations and recombinations, the same procedures, rules and regulations shall apply as prescribed in this Ordinance for an original subdivision including a recordable plat.

Section 5.1 MAJOR SUBDIVISION SKETCH PLAN

If the land to be subdivided does not qualify as a minor subdivision, as defined in section 4.2, the subdivider must submit a sketch plan prior to submitting a preliminary plan. A registered surveyor, licensed engineer or a landscape architect can prepare the sketch plan. Smaller subdivisions may be submitted in sketch plan form if the subdivider wishes. If the subdivider wishes to submit one, it must be submitted to the Subdivision Administrator. The subdivider or his or her representative should explain the plan, answer questions, and advise the Subdivision Administrator of how the sketch relates to the subdivision ordinance. The subdivider shall submit two copies of the sketch plan containing the following information adhering to the standards of Article 7 of this Ordinance for review by the Greene County Subdivision Administrator.

5.1.1 Sketch Plan Requirements

- (A) Subdivision data block, including:
 1. Proposed name and location
 2. Acreage in tract.
 3. Acreage to be subdivided.
 4. Number of lots proposed.
 5. Scale of map and north arrow.
 6. Zoning Designation

(B) Existing conditions:

1. Boundaries of tract to be subdivided.
2. Existing use of land on tract to be subdivided and adjoining land.
3. Names of adjoining property owners and subdivisions.
4. Natural features affecting the site.
5. Aerial photographs of the site.
6. A statement as to the existence (or not) of a swine farm within 750 feet of any portion of the property being subdivided.

(C) Proposed conditions:

1. Proposed use of property.
2. Proposed lot layout and size of lots.
3. A statement from the Greene County Health Department that a copy of the sketch plan has been submitted to them, if septic tanks or other on-site water or wastewater systems are used in this subdivision.

5.1.2 Sketch Plan Review Procedure

The Subdivision Administrator shall review the sketch design plan for general compliance with the requirements of this regulation. The Subdivision Administrator shall advise the subdivider or his or her 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. This review shall in no way be construed as constituting an official action of approval for recording of the subdivision by the Planning Board or Greene County Board of Commissioners as required by this regulation. A copy shall be retained by the Subdivision Administrator, and the other copy shall be returned to the subdivider or his or her authorized agent.

Section 5.2 MAJOR SUBDIVISION PRELIMINARY PLAT

Before approval for recordation of any subdivision plat may be given, the subdivider shall submit ten copies of the preliminary plat and any supplementary material to the Subdivision Administrator at least 20 days prior to the regularly scheduled Planning Board meeting at which the subdivider wishes the plat to be considered by the Planning Board. Upon submission of the preliminary plat for processing by the Planning Board, the subdivider shall pay a processing fee to the Subdivision Administrator. The Subdivision Administrator shall review the preliminary plat for completeness and for compliance with this chapter, and shall then transmit the preliminary plat to the Planning Board with his or her recommendations.

5.2.1 Preliminary Plat Requirements

- (A) The preliminary plat shall be at a scale of 100 feet to one inch or larger, and shall be drawn on an appropriate medium, of appropriate size. It is recommended that the preliminary plat comply with final plat size and media requirements. The Greene County Register of Deeds requires a map size of at least 18" x 24". The surveyor should leave a space of 4½" x 2½" for the Register of Deeds stamp. At least ten copies shall be submitted to the Subdivision Administrator for Preliminary Plat Review.

- (B) The preliminary plat shall be prepared by a registered surveyor, and shall comply with standards of practice.
- (C) The preliminary plat shall be accompanied by any other supplemental certificates, comments, or other material required in this chapter.
- (D) The submitted preliminary plat shall be clearly labeled: "Preliminary Plat - Not for Recordation, Conveyances, or Sale."
- (E) Environmental impact statement. An environmental impact statement, as provided for in G.S. §§ 113A-8 through 113A-10, shall be necessary only when required by a state or federal agency or agencies.
- (F) General Information:
 - 1. Name of owner and/or subdivider.
 - 2. Location (including township, county, and state).
 - 3. Date or dates survey was conducted and plat prepared.
 - 4. A scale of drawing in feet-per-inch listed in words or figures.
 - 5. A bar graph.
 - 6. Name, address, registration number, and seal of registered Professional Land Surveyor.
 - 7. A sketch vicinity map showing the relationship between the proposed subdivision and surrounding area.
 - 8. Corporate limits, township boundaries, and county lines, if on the subdivision tract.
 - 9. The names, addresses, and telephone numbers of all owners, registered land surveyors, and professional engineers responsible for the subdivision.
 - 10. The registration numbers and seals of the professional engineers.
 - 11. North arrow and orientation.
 - 12. The boundaries of the tract or portion thereof to be subdivided, distinctly and accurately represented with all bearings and distances shown.
 - 13. The names of owners of adjoining properties.
 - 14. The names of any adjoining subdivisions of record or proposed and under review.
 - 15. Minimum building setback lines.
 - 16. Existing property lines on the tract to be subdivided and on adjoining properties.
 - 17. Existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, on the land to be subdivided.
 - 18. Proposed lot lines, lot and block numbers, and approximate dimensions.
 - 19. Wooded areas, marshes, wetlands, swamps, rock outcrops, ponds or lakes, streams or streambeds and any other natural features affecting the site.
 - 20. The location of the 100- year flood plain contour from the current county FEMA maps.
 - 21. A statement as to the existence (or not) of a swine farm within 750 feet of any portion of the property being subdivided.
- (G) The following data concerning streets:
 - 1. Proposed streets.
 - 2. Existing and platted streets on adjoining properties and in the proposed subdivision.
 - 3. Rights-of-way, location and dimensions.
 - 4. Pavement widths.

5. Approximate grades.
6. Design engineering data for all corners and curves.
7. Typical street cross sections.
8. Proposed street names.
9. All other information required by the Department of Transportation prior to issuing its certificate of approval, including relationship to adopted thoroughfare plan.
10. Type of street dedication; all streets must be dedicated either "public" or "private."
11. If any street is proposed to intersect with a state- maintained road, the subdivider shall apply for driveway approval as required by the NCDOT, Division of Highways, and Manual on Driveway Regulations. Evidence must be presented that the subdivider has obtained approval.

(H) The location and dimensions of all:

1. Utility and other easements.
2. Riding trails.
3. Natural buffers and buffer strips.
4. Pedestrian or bicycle paths.
5. Parks and recreation areas with specific type indicated.
6. School sites.
7. Areas to be dedicated or reserved for public use.
8. Areas to be used for purposes other than residential with the purpose of each stated.
9. The future ownership (dedication or reservation for public use to governmental body, for owners to duly constituted homeowners' association, or for tenants remaining in subdivision ownership of recreation and open space lands).

(I) The plans for utility layouts (or actual location of utilities as installed) if required including:

1. Sanitary sewers.
2. Storm sewers.
3. Other drainage facilities, if any.
4. Water distribution lines including connections to existing systems showing line size, the location of fire hydrants, blow offs, manholes, force mains, and gate valves.
5. Location and type of fire hydrants.
6. Natural gas lines.
7. Telephone lines.
8. Electric lines.
9. Plans for individual water supply and sewage disposal systems, if any.
10. Profiles based on main sea level datum for sanitary sewers and storm sewers.

(J) Site calculations including:

1. Acreage in total tract to be subdivided.
2. Acreage in parks and recreation areas and other non- residential uses.
3. Total number of parcels created.
4. Acreage in the smallest lot in the subdivision.
5. Linear feet in streets.
6. The name and location of any property or buildings within the proposed subdivision or within any adjoining property that is located on the U.S. Department of Interior's National Register of Historic Places.

7. All comments and recommendations required in comments from other agencies per Section 5.2.2.
8. Any other information considered by either the subdivider, Planning Board or Board of Commissioners to be pertinent to the review of the plat.

5.2.2 Review by Other Agencies Upon submission of the preliminary plat to the Subdivision Administrator, the Subdivision Administrator 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 those listed in divisions (A) through (E) of this section. Comments from these reviewing agencies must be made available to the Planning Board by the subdivider before a preliminary plat may be approved, unless this requirement is specifically waived by the Planning Board.

- (A) The District Highway Engineer, as to:
 1. Sufficiency of proposed construction and alignment of streets, highways, and drainage systems, so that all streets dedicated to the public may be eligible for acceptance onto the state highway system.
 2. Driveway approval, where any street is proposed to intersect with a state-maintained road.
- (B) The Environmental Health Specialist with the Greene County Health Department as to proposed water and sewer systems or satisfactory site evaluation results to allow septic tank use.
- (C) The County School Superintendent as to proposed school sites.
- (D) The County Soil Conservation Service, for comments on soil suitability and the proximity of the proposed subdivision to swine operations.
- (E) Such other agencies and officials as the Planning Board and/or Board of Commissioners may deem necessary or desirable. These may include:
 1. The Department of Cultural Resources, Division of Archives and History, where archeological sites or historic sites may exist in the proposed subdivision.
 2. The Department of Crime Control and Public Safety, Division of Emergency Management, as to floodplain elevations and setbacks.
 3. The Division of Environmental Management, Groundwater Section, where underground storage tanks holding petroleum or hazardous chemicals may be installed or removed.

5.2.3 Planning Board Review The Planning Board shall review the preliminary plat for compliance with this chapter within 45 days of receipt by the Subdivision Administrator, unless the agencies listed in Section 5.2.2 have not completed their reviews.

- (A) **Approval.** If the Planning Board approves the preliminary plat, such approval shall be certified on the plat. The subdivider shall receive the original signed plat and one copy. The Planning Board shall retain one copy for its records.

- (B) **Disapproval.** If the Planning Board disapproves the preliminary plat, the reasons for such disapproval shall be stated in writing, specifying the provisions of this chapter with which the preliminary plat does not comply. One copy of the written reasons for disapproval and two copies of the plat shall be returned to the subdivider. One copy of the plat and written reasons shall be kept by the Planning Board for its records.
1. Upon disapproval of a preliminary plat, the Planning Board may allow resubmission of the preliminary plat upon modification of the reasons that resulted in the initial disapproval. In that event, the Planning Board may require that the plat be treated as if it were an initial submission or it may allow deletion of some steps in the preliminary plat review process. The Planning Board's determination of the proper procedure for each resubmission shall be made at the time of disapproval.

Section 5.3 MAJOR SUBDIVISION FINAL PLAT

Upon completion of the installation of the improvements shown in the approved preliminary plat, the applicant may submit a final plat for approval. All improvements must adhere to the standards and specifications outlined in Article 6. If a final plat of a subdivision is not submitted within 12 months of the date of the preliminary plat approval, the preliminary plat approval shall become null and void. However, the Planning Board may grant in writing an extension of that time limit for all or any part of the subdivision if requested to do so prior to the expiration of the 12-month period. On application for final plat processing, the subdivider shall pay the subdivision processing fee to the Subdivision Administrator. The subdivider shall submit eight copies of the final plat to the Subdivision Administrator, who shall review the plat for compliance with the preliminary plat and this ordinance. The Subdivision Administrator shall then transmit the final plat to the Planning Board with his or her recommendations.

5.3.1 Final Plat Requirements

- (A) Before the submission of a final plat, the subdivider shall apply to and receive the results from the Greene County Health Department for individual lot evaluation for the entire subdivision or a phase of the subdivision, if necessary, to allow utilization of on-site sewage disposal systems unless a public sewer system is being used.
- (B) The final plat shall include and adhere to the Sketch Plan and Preliminary Plat requirements, outlined in Section 5.1.1 and Section 5.2.1, as approved by the Subdivision Administrator and Greene County Planning Board.
- (C) In addition to the above stated requirements, the Final Plat shall contain the following information:
1. 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.
 2. The boundaries of the lots and the lots numbered consecutively throughout the subdivision.
 3. The 100-year flood plain and the location of the flood elevation.

4. Where the 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 7.5 of this Ordinance.
5. 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 the curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.
6. The accurate locations and descriptions of all monuments, markers, and control points.
7. A copy of any proposed deed restrictions or similar covenants regarding street maintenance, maintenance of private recreation areas, and the like.
8. A statement as to the existence (or not) of a swine farm within 750 feet of any portion of the property being subdivided.

5.3.2 Final Plat Review The Planning Board shall review the final plat for compliance with the preliminary plat and that all improvements meet the standards and specifications of Article 6 of this Ordinance. The Planning Board may appoint an engineer or Registered Land Surveyor to check the final plat against the subdivision's actual layout for correctness, charging the costs to the subdivider if the plat is found to be in error. The Planning Board shall approve, approve conditionally upon modifications to bring the plat into compliance, or disapprove of the final plat within 60 days of the receipt of the Final plat by the Subdivision Administrator. If no recommendation is made by the Planning Board within 60 days, the subdivider may apply directly to the Board of Commissioners for approval.

- (A) **Approval.** If the Planning Board approves of the final plat, it shall retain one copy of the proposed plat and one copy of its approval for recording in its minutes.
- (B) **Approval with conditions.** If the Planning Board approves of the final plat on the condition that modifications be made prior to the final plat approval, it shall retain one copy of the plat for its minutes, return to the subdivider one copy of the plat and its written recommendation.
- (C) **Disapproval.** If the Planning Board disapproves of the final plat, it shall return to the subdivider one copy of the plat and its written reasons for disapproval and shall retain one copy of each for its minutes. It shall also instruct the subdivider concerning resubmission of a revised plat. The subdivider may then make such changes as will bring the plat into compliance, re-submit the revised plat for reconsideration by the Planning Board, or the subdivider may appeal the decision to the Board of Commissioners. If the subdivider decides to re-submit the final plat with changes that revised plat shall be treated as an original final plat submission. If the subdivider decides to appeal the decision to the Board of Commissioners, he or she shall request the hearing in writing and the Planning Board shall transmit the remaining copies of the plat and recommendation to the Board of Commissioners through the Subdivision Administrator.

(D) If the subdivider appeals a recommendation of disapproval, the Board of Commissioners shall consider the application for final plat approval at its next regular meeting more than 14 days after the Planning Board's recommendation.

1. **Approval.** If the Board of Commissioners approves the final plat, such approval shall be certified on the plat as provided in Appendix 1(1.10.2) at the end of this chapter. The subdivider shall receive the original signed plat and one copy. The Board of Commissioners shall retain one copy for its records and one copy shall be remitted to the Planning Board for its records.
2. **Disapproval.** If the Board of Commissioners disapproves the final plat, the reasons for such disapproval shall be stated in writing, specifying the provisions of this chapter with which the final plat does not comply. One copy of the written reasons for disapproval and two copies of the plat shall be returned to subdivider. One copy of the plat and written reasons shall be kept by the Board of Commissioners for its records and one copy of the plat and reasons shall be remitted to the Planning Board for its records.
3. **Resubmission.** Upon disapproval of a final plat, the Board of Commissioners may allow resubmission of the final plat upon correction of errors resulting in the initial disapproval. In that event, the Board of Commissioners may require that the plat be treated as if it were an initial submission, or it may allow deletion of some steps in the final plat review process. The Board's determination of the proper procedure for each resubmission shall be made at the time of disapproval.

Section 5.4 **MINOR SUBDIVISION**

A minor subdivision is defined as any division of land where each lot will have street frontage along an existing public or private street, where no new street improvements and/or right-of-way dedication is required. Minor subdivisions are reviewed and approved or disapproved by the Greene County Subdivision Administrator. The Subdivision Administrator will approve or disapprove the minor subdivision and notify the applicant of its decision within five (5) business days of receiving the plat, completed application, and review fee.

The subdivider shall submit one (1) original print (18x34 inches) and 3 additional copies of the minor subdivision plat with a completed application and review fee. The minor subdivision plat shall comply and adhere to the North Carolina General Statutes and with the policies of Greene County with regards to mapping. Plats shall be prepared by a North Carolina Licensed Professional Surveyor and/or Engineer and be drawn to a scale of at minimum sixty (60) feet to one (1) inch.

5.4.1 **Plat Requirements**

The Minor Subdivision Plat contain the following information:

(A) General Information:

1. Name of subdivision.
2. Name of subdivider (and owners, if different).
3. Acreage in tract.

4. Acreage to be subdivided.
5. Number of lots proposed.
6. Scale of map and north arrow.
7. Zoning Designation
8. Statement of the number of lots created while owned by the current owner.

(B) Existing conditions:

1. Boundaries of tract to be subdivided, showing accurate distances and bearings.
2. Sketch vicinity map showing relationship to surrounding areas in general, and as relates to a thoroughfare plan and 100-year flood plain contour.
3. Existing street and right-of-way layout.
4. Existing buildings or other structures, railroads, bridges, culverts, or storm drains on tract to be subdivided, and on adjoining land if that condition might affect proposed subdivision.
5. Location and dimensions of existing utility, drainage and other easements and locations of utilities in place.
6. Existing use of land on tract to be subdivided and adjoining land.
7. Names of adjoining property owners and subdivisions.
9. Natural features affecting the site, including but not limited to bodies of water, swamps, streambeds, wooded areas, and wetlands.
10. The 100-year flood plain and the location of the flood elevation.
11. A statement as to the existence (or not) of a swine farm within 750 feet of any portion of the property being subdivided.

(C) Proposed conditions:

1. Proposed use of property.
2. Location and boundaries of areas for use of subdivision residents or general public, such as open space, recreation areas, schools or churches.
3. Proposed lot layout and size of lots.
4. Proposed street right-of-way widths, streets to be improved and degree and size of improvement planned, and connections to existing streets on tract and on adjoining property.
5. Proposed location of utilities improvements.
6. Any proposed variations from the subdivision ordinance.
7. A statement from the Greene County Health Department that a copy of the sketch plan has been submitted to them, if septic tanks, or other on-site water or wastewater systems are to be used in the subdivision.
8. The 100-year flood plain and the location of the flood elevation.

5.4.2 **Review** by the Greene County Subdivision Administrator, upon receipt of a Minor Subdivision Plat, completed application and review fee, shall review the plat for consistency with Section 5.4 of the Subdivision Ordinance. The Subdivision Administrator has five (5) business days to provide written approval, approval with conditions or denial to the subdivider. Upon approval, the Subdivision Administrator will sign the applicable Greene County certification as final approval for recordation.

Section 5.5 **VACATING OF ANY SUBDIVISION PRIOR TO CONVEYANCE**

- (A) Any plat or any part of any plat recorded in the office of the Register of Deeds 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.
- (B) Such an instrument may be approved by the Board of Commissioners, upon recommendation of the Planning Board. The Board of Commissioners may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets, or alleys.
- (C) Such an instrument shall be executed, acknowledged or approved by the Board of Commissioners, and recorded and filed in the office of the Register of Deeds, 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.
- (D) When lots have been sold, the plat may be vacated in the manner provided in subsections (A) through (C) of this division by all owners of the lots in such plat joining in the execution of such writing.

Article 6: Recordation

Section 6.0 IN GENERAL

No certification for recordation shall be entered on a final plat until such time as all requirements of this chapter have been met, including but not limited to the following:

- (A) All improvements have been installed.
- (B) All procedural requirements for final plat approval as provided in this Ordinance have been met.
- (C) All comments or certifications from other agencies as requested by the Planning Board or Board of Commissioners have been provided.
- (D) All fees have been paid.

Section 6.1 FILING

The subdivider shall file the approved final plat with the Register of Deeds of Greene County within 30 days of the approval and certification of the Planning Board and/or Subdivision Administrator per the requirements of this Ordinance; otherwise, such approval shall be null and void.

Section 6.2 PENALTY

Any subdivider who subdivides his or her 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 Greene County Register of Deeds shall be penalized according to Section 3.2 of this Ordinance.

Article 7: Improvements and Standards

Section 7.0 IN GENERAL

Approval of the final plat is subject to the subdivider having installed the improvements required in this chapter. Each subdivision shall contain the improvements in this subchapter, unless otherwise approved by the majority of the Board of Commissioners through the variance procedures in Section 3.3 or otherwise stated in this chapter.

Section 7.1 FLOODING, IRREGULAR DRAINAGE, EXCESSIVE EROSION, AND TOPOGRAPHY

Land subject to periodic flooding, irregular drainage conditions, excessive erosion, or topographical and other reasons unsuitable for residential use as determined by the appropriate board or agency shall not be platted for commercial or residential use nor for any other use by a citizen that will continue or increase the danger to health, safety, or property unless the hazards can be and are corrected. If land located in a flood plain is subdivided, each proposed lot must have the minimum lot size required by this chapter on land existing outside of the 100-year flood plain.

Section 7.2 EDUCATIONAL SITES

If the 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 when a sketch plan or plat 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 does wish to reserve the site, the subdivision shall not be approved without such reservation. The Board of Education must act to obtain the site within 18 months, as required by G.S. § 153A-331, or the subdivider may treat the land as freed of the reservation.

Section 7.3 WASTE SITES

Areas that have been used for the disposal of solid waste or liquid waste shall not be subdivided into residential building sites. This shall include those areas that have been used for disposal of trash, demolition waste, chemical waste, and other waste materials.

Section 7.4 GUARANTEES

A subdivision improvement agreement, the content and requirements of which having previously been approved by the Planning Board, shall be signed by the subdivider and filed with the Subdivision Administrator prior to the consideration of any plat. In addition, Greene County may enter into an agreement with the subdivider whereby the subdivider shall agree to complete all required improvements not yet installed at the time of final plat consideration by the Planning Board, provided that the subdivider submit the appropriate guarantees as listed below, and all other requirements of this chapter are met.

7.4.1 To secure this agreement, the subdivider shall provide, subject to the approval of the Planning Board, either one or a combination of the following guarantees, not exceeding 1.25 times the entire cost of improvements as provided herein:

- (A) **Cashier's check (s).** The subdivider shall obtain a cashier's check(s) from a bank or other qualified financial institution authorized to do business in the state. The check(s) shall be payable to Greene County and shall be in an amount equal to 1.25 times the entire cost, as estimated by the subdivider and approved by the Planning Board, of installing all required improvements.
- (B) **Irrevocable letter of credit.** The subdivider shall obtain an irrevocable letter of credit from a bank or other qualified financial institution authorized to do business in the state. The amount of authorized credit shall be equal to 1.25 times the cost, as estimated by the subdivider and approved by the Planning Board, of installing all required improvements. The wording and language of the irrevocable letter of credit shall be approved by the Planning Board. The duration of the letter of credit shall be until such time as the improvements are accepted by the Planning Board.
- (C) **Surety performance bond(s).** The subdivider shall obtain a performance bond(s) from a surety bonding company authorized to do business in North Carolina. The bonds shall be payable to the County of Greene and shall be in an amount equal to 1.25 times the entire cost, as shown on the estimate required herein. The bond shall be approved by the Greene County Planning Board and the County Attorney. The bond shall be conditioned so that the required improvements may be constructed by Greene County without cost to the county in the event of default by the subdivider. The duration of the bond(s) shall be until such time as the improvements are accepted by the Greene County Planning Board following receipt of the Board of appropriate written release from the agencies herein above specified.

7.4.2 **Default.** Upon default, meaning failure on the part of the subdivider to complete the required improvements in a timely manner as spelled out in the subdivision improvement agreement and/or by this chapter, then the financial institution that issued the cashier's check and/or the irrevocable letter of credit shall, if requested by the Planning Board, pay all or any portion of the amount needed to complete the improvements based on an engineering estimate. Upon payment, the Planning Board, in its discretion, may expend such portion of such funds as it deems necessary to complete all or any portion of the required improvements. The county shall return to the subdivider any funds not spent in completing the improvements.

7.4.3 **Release of guarantee security.** The Planning Board may release a portion of any security posted as the improvements are completed and recommended for approval by the Subdivision Administrator. Within 45 days after receiving the Subdivision Administrator's recommendation, the Planning Board shall approve or disapprove such improvements. If the Planning Board approved such improvements, then it shall immediately release any security posted on that portion.

7.4.4 **Certificate of dedication and maintenance.** The certificate of dedication and maintenance shall be submitted with the final plat and forwarded to the Register of Deeds to be recorded with the approved final plat; it shall stipulate the following:

- (A) That all property and improvements are owned by the subdivider and free of any encumbrance or lien except as enumerated.

- (B) That the subdivider has freely dedicated or reserved all required right-of-way easements, streets, utilities, open spaces, or other improvements to public or private use as required by the approved preliminary plat and has established minimum building setback lines.
- (C) That the subdivider shall be responsible for the maintenance of all improvements until the improvements are taken over by the appropriate public agency, home/property owner's association, or arrangements satisfactory to the Planning Board have been made for maintenance of such improvements.

Section 7.5 **STREET REQUIREMENTS**

Street requirements. Except as listed below, all streets must be constructed in accordance with the North Carolina Department of Transportation requirements for public streets.

7.5.1 Cul-de-sacs. Every permanent dead end street shall be developed as a cul-de-sac and shall not exceed 1,500 feet in length, except where the shape of the tract of land being developed makes this requirement impractical. The length of the cul-de-sac shall be measured from the centerline of the nearest intersecting through street to the center of the turnaround. All North Carolina Department of Transportation design options for cul-de-sacs are allowed within subdivisions.

7.5.2 Temporary turnarounds. In cases where streets are proposed to be extended, the Planning Board may permit a temporary turnaround for a period not to exceed two years. Such turnarounds must be designed as a cul-de-sac bulb and constructed to North Carolina Department of Transportation base standards, but not necessarily paved.

7.5.3 Street offsets. Whenever possible, proposed intersections on one side of a street, or road, or highway shall coincide with existing or proposed intersections on the opposite side of such street, road, or highway. In any event, however, street offsets, as measured between the center lines of intersecting streets, shall meet the following requirements:

- (A) Street offsets within developments shall be at least 125 feet apart.
- (B) Street offsets created by streets intersecting with primary highways or secondary roads shall be at least 250 feet apart.

7.5.4 Homeowners association. When a homeowner's association is established to provide for the maintenance of private subdivision streets, it shall be incorporated in accordance with Chapter 55 of the North Carolina General Statutes. As required, appropriate bylaws shall be prepared, and proposed covenants or deed restrictions which address maintenance, apportionment of financial responsibility, and enforcement shall be provided. The County Attorney shall approve the adequacy of these materials prior to final plat review. These materials shall be recorded at the same time as the final plat and shall be appropriately cross-referenced in the Greene County Register of Deeds Office.

7.5.5 Subdivision street disclosure statement. The streets shown on the preliminary and final plats shall be designated in accordance with G.S. § 136-102.6 and designation as public on the final plat shall be conclusively presumed an 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.

- (A) Pursuant to G.S. § 153A-333, the approval of a plat does not constitute or effect the acceptance by the Department of Transportation or the public of the dedication of any street or other ground, public utility line, or other public facility shown on the plat, and shall not be construed to do so. If a public dedication of any street or other grounds, public utility line, or other public facility is required, the subdivider must include a statement identifying the party responsible for maintaining the required streets, grounds, utilities, or facilities until such time as the dedication is accepted by the appropriate public entity.

7.5.6 Restrictive covenants. Restrictive covenants shall be recorded along with the deed of each lot fronting on a subdivision road. The covenants shall embody the restrictions in this chapter in reference to roads serving subdivisions. The restrictive covenants dealing with the road shall be approved by the Planning Board and the County Attorney and shall be a condition upon which approval of a final plat will be based.

7.5.7 Street names and street signs. Street names for all subdivision plats shall be subject to approval of the Planning Board. New street names shall not duplicate or be similar to existing street names and existing street names shall be projected wherever possible. It shall be the responsibility of the developer to install street signs at the intersection of streets within his or her development. All signs shall be in accordance with the specifications as provided by the Greene County Board of Commissioners and NCDOT if state maintained.

7.5.8 Access roads. Where a tract of land to be subdivided adjoins a federal or state highway, the subdivider may be required to provide a marginal access street parallel to the highway or reverse frontage on an interior street for the lots to be developed adjacent to the highway. If reverse frontage is required, then the subdivider shall be required to create a ten-foot buffer strip parallel and adjacent to the right-of-way of the highway as a part of those lots whose rear yards are adjacent to the highway. The buffer strip shall be conveyed in the deeds to the affected lots and shall be restricted to the planting of trees or shrubs for screening purposes by the lot owners. This buffer strip shall be in addition to all other setbacks or easements required by this article.

Section 7.6 **LOTS, BUILDING SETBACKS, BLOCKS, AND BUFFER STRIPS.**

7.6.1 Lots. Lot sizes, shapes and locations shall be made with due regard to topographic conditions, contemplated use, and the surrounding area. Land subject to flooding and land deemed by the Board of Commissioners to be uninhabitable for other reasons shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life, or property, or aggravate the flood hazard; but such land may be set aside for such uses as will not be endangered by periodic or occasional inundation, or will not produce unsatisfactory living conditions.

- (A) **Public or Private Lot Frontage.** Each lot with sanitary sewer must have a minimum road or street frontage of 80 feet and a minimum width of 60 feet at the building setback line. Each lot with septic tank sewer must have a minimum road or street frontage of 120 feet and a minimum width of 100 feet at the building setback line. Additional frontage or width may be required pursuant to the county's zoning ordinance. Road

frontage requirements may be waived by the Planning Board if the proposed lots are accessed by permanent private easements. See (H) Easements below.

- (B) Lot sizes in subdivisions shall comply with the requirements of the Greene County Health Department.
- (C) Corner lots for residential use shall have an extra width of 15 feet to permit adequate building setback from side streets.
- (D) Double frontage and reverse frontage lots shall be avoided, except where required to separate residential development from through traffic.
- (E) Side lot lines shall be substantially at right angles or radial to street lines except at the end of cul de sacs.
- (F) **Access.** Except as provided in (H) below, each lot shall have access to a public or private street. No lot shall be created that blocks access to any other lot. This applies to both platted and functional access (i.e.. the lot has platted road access but uses an easement instead of the platted access).
- (G) **Lot Size and width.** Except in the case of a Major Subdivision, pending approval of the Greene County Board Planning Board and Board of Commissioners, each lot shall meet the minimum area and lot width requirements outlined in the table below. Notwithstanding these standards, the subdivider shall provide sufficient area on each lot to ensure that all other requirements of this section or other applicable development regulations can be met. Lot width shall be measured at the property line. Flag lots shall provide sufficient width at the right-of-way line so that driveways can be at least ten feet from any lot boundary line, but in no case be less than 40 feet in width. Lot width for lots on the bulb of a cul-de-sac may be reduced to 50 feet, as measured along the right-of-way.
- (H) **Permanent Private Easements.** The Planning Board may allow the subdivision of lots whose only means of access to a public or private street is a permanent private easement subject to the following limitations:
 - 1. They shall in no case be less than 30 feet in width.
 - 2. Any permanent private easement that serves more than one lot shall be at least 50 feet in width.
 - 3. Multiple permanent private easements may not run side by side.
 - 4. Easements shall only be considered in subdivisions containing four or fewer residential lots, provided that one of the four lots must have access to a public or private road and must use said access rather than the easement
 - 5. No commercial or industrial use may be accessed solely by a permanent private easement.

	ZONING DISTRICTS			
	AR	R	C	I
LOT SIZE REQUIREMENTS (with sanitary sewer and public water)				
Minimum Lot Size* (sq.ft.)	15,000	15,000	15,000	15,000
Minimum Road or Street Frontage (ft.)	80	80	80	80
Minimum Road or Street Frontage in a curve, if lines are radial (ft.)	80	80	80	80
Minimum Road or Street Frontage in a cul-de-sac (ft.)	50	50	50	50
Minimum Lot Width at Building Setback Line (ft.)	60	60	60	60
Minimum Lot Width at Building Setback Line on Corner Lot	60	60	60	60
Minimum Lot Depth (ft.)	-	-	-	-
LOT SIZE REQUIREMENTS*** (with septic tank, public water, or well)				
Minimum Lot Size* (sq. ft.)	30,000	30,000	30,000	30,000
Minimum Road or Street Frontage (ft.)	120	120	120	120
Minimum Road or Street Frontage in a curve, if lines are radial (ft.)	80	80	80	80
Minimum Road or Street Frontage in a cul-de-sac (ft.)	50	50	50	50
Minimum Lot Width at Building Setback Line (ft.)	100	100	100	100
Minimum Lot Width at Building Setback Line on Corner Lot	80	80	80	80
Minimum Lot Depth (ft.)	-	-	-	-

* The lot area of flag shaped lots shall be computed, excluding area provided for access or "panhandle."

** Measured at the property line.

*** In the Case of Major subdivisions only and pending approval of the Greene County Planning Board, a subdivision may be approved with a minimum lot of 20,000 Sq. Ft.

(I) Building setback lines.

1. The minimum building setback from the property lines shall be as follows:

	ZONING DISTRICTS			
	AR	R	C	I
REQUIRED YARD SETBACKS				
Front (ft.)	30	30	30	30
Front (on Major Thoroughfare) (ft.)	40	40	40	40
Side (ft.)	10	10	10	10
Side (on Corner Lot) (ft.)	25	25	25	25
Rear (ft.)	10	10	10	10

2. Federal and state regulations concerning setbacks from water and in flood areas shall be strictly adhered to and shown on the sketch plan and preliminary and final plats.

(J) Accessory structure setback lines.

1. The minimum accessory structure setback from the property lines shall be as follows:

	ZONING DISTRICTS			
	AR	R	C	I
REQUIRED YARD SETBACKS				
Front (ft.)	30	30	30	30
Front (on Major Thoroughfare) (ft.)	40	40	40	40
Side (ft.)	10	10	10	10
Side (on Corner Lot) (ft.)	25	25	25	25
Rear (ft.)	10	10	10	10

7.6.2 BLOCKS

(A) Blocks shall be laid out with special attention given to the type of use contemplated.

(B) Blocks shall have sufficient width to allow two 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, or when abutting a water area.

(C) Blocks shall not be less than 400 feet or more than 1,800 feet.

- (D) Where deemed necessary by the Planning Board and the Board of Commissioners, a pedestrian crosswalk at least 15 feet in width may be required to provide convenient public access to public areas such as a park or school, to a water area, or to areas such as shopping centers, religious, or transportation facilities.
- (E) Block numbers shall conform to the county road numbering system, if applicable.

7.6.3 Buffer strips. In residential districts a buffer strip at least 25 feet in depth in addition to the normal lot size and depth required shall be provided adjacent to all railroads and controlled access highways, commercial and/or industrial developments, multi-family housing and mobile home parks, and any other land use that the Planning Board and Board of Commissioners deems necessary and where there may be potential conflict. This strip shall be a part of the platted lots, but shall have the following restrictions lettered on the face of the plat: "This strip shall be reserved for the planting of trees or shrubs by the owner; the building of structures hereon is prohibited."

Section 7.7 UTILITIES

7.7.1 The following are the requirements for design and construction of utilities in subdivisions.

7.7.2 Compliance. All utility installations shall comply with applicable building and health codes of Greene County and the State of North Carolina, and with the North Carolina Utilities Commission requirements.

7.7.3 Water Supply and Sewage Disposal

- (A) All subdivisions are required to be connected to an existing public water supply, if available, and, when practicable, a public or community sewage system. If an existing public water supply is not available and/or public community sewage is impracticable, the subdivision may be served by on-site wells or private sewer if so specified and approved by the Greene County Health Department and any other authorizing agencies.
- (B) Public water system supply lines must abut each lot within the subdivision or be otherwise constructed so that no individual water service line crosses another.
- (C) Individual wells shall be located as allowed by the Greene County Health Department in accordance with state, local, and federal regulations.
- (D) Upon submittal of a preliminary plat, plans and specifications shall be provided by the subdivider showing necessary sanitary sewer lines, water mains, and items accessory to each that lie wholly within the rights-of-way in the subdivision.
- (E) During final site plan review, the agency or entity which owns and operates such a system shall certify that the new development is accepted for addition to the system.

- (F) If a new sewer system (e.g., package sewage treatment plant, and the like) is proposed to serve the development, certification that the site has been approved for the proposed system from the appropriate agency which has jurisdiction over the system is required as part of the final site plan submittal.
- (G) If an addition to an existing public water supply system is proposed, the proposal shall be submitted to the public water supply system as required in its rules and regulations and in accordance with state and federal laws. No installation shall begin until approval of applicable governing bodies and/or agencies has been obtained.
- (H) Cost. The total costs of any sanitary sewer and water distribution improvements and accessories is to be borne by the subdivider.

Section 7.8 **DRAINAGE AND SEDIMENTATION CONTROL**

7.8.1 Easements. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width or construction, or both, as will be adequate for the purpose of managing storm water runoff in a manner following the natural contours of the watercourse that will safeguard the health and property of the citizens of the county. Maintenance responsibility for drainage shall be included in the covenants of the subdivision and enforced by the Homeowners Association.

7.8.2 Sedimentation and Erosion Control. Persons engaged in land disturbing activities shall take all reasonable measures to protect all public and private property from damage by such activities. When any land disturbing activity is to be undertaken on a tract where more than one acre is to be uncovered, a sedimentation and erosion control plan is required. Vegetated buffer strips of at least 15 feet, where practicable, shall be retained in their natural state along the banks of all watercourses, bodies of water or wetlands. Subdividers shall comply with state regulations.

Section 7.9 **PERMANENT REFERENCE POINTS**

7.9.1 Establishment. Prior to the approval of the final plat, permanent reference points shall have been established in accordance with the requirements set forth in this section.

7.9.2 Placement of monuments. Unless otherwise specified by this chapter, the Standards of Practice for Land Surveying, as adopted by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, North Carolina Administrative Code, Title 21, Chapter 56, Section 1600, shall apply when conducting surveys for subdivision, to determine the accuracy for surveys and placement of monuments, control corners, markers, and property corner ties; 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 subdivision.

7.9.3 Flood elevation monuments. Where a subdivision contains more than five lots or more than five acres, there shall be located in the subdivision at least one flood elevation marker established by a registered land surveyor, if existing vertical control is within 1,500 feet of the site.

Section 7.10 **FIRE HYDRANTS**

7.10.1 When a subdivision is to be served by a central water system, fire hydrants are to be installed every 1,000 feet apart, or no further than 500 feet from the furthest point of any lot within the subdivision, where water line size will permit. In areas where line size of six inches or more is not available, then hydrants are not required. If the subdivider is installing six inch lines, or better, then hydrants are to be installed every 1,000 feet apart, or no more than 500 feet from the furthest point of any lot within the subdivision.

7.10.2 If a publicly owned water line, six inches or greater in size, is proposed to intersect with a water line serving the proposed subdivision, then the developer shall install a fire hydrant at, or near, the point of intersection.

7.10.3 All fire hydrants shall be located so as to be easily accessible to fire trucks on a public street.

7.10.4 Where there is no central water system but there is a water source available, dry hydrant shall be installed as determined by the Fire Chief in charge of serving the subdivision.

Section 7.11 **STREET LIGHTS**

All subdivisions and streets therein shall be sufficiently illuminated to ensure the security of property and the safety of persons using the streets. The distance between street lights shall not exceed 400 feet as measured along street rights-of-way. If other provisions cannot be made for the payment of the street lights, a homeowner's association shall be established to operate the street lights.

Article 8: Planned Unit Development (PUD)

Section 8.0 IN GENERAL

The maximum allowable density shall meet the following requirements. Density increases greater than those permitted in the Subdivision Regulations will be permitted only when a community or public sanitary water and sewer disposal system is provided and they must meet the following requirements. Any other such increase will be allowed only with the approval of the Greene County Health Department and they must also meet the following requirements.

Where a Planned Unit Development qualifies for the design standards set forth in this Section, all other requirements of Article 7 Improvement and Design Standards must be complied with unless specifically waived.

Section 8.1 RESIDENTIAL USE DIMENSIONAL STANDARDS

8.1.1 **Lot Area.** The lot area for each detached single-family dwelling shall be no less than 5,000 square feet.

8.1.2 **Lot Width.** Lot width for each detached single-family dwelling shall be no less than fifty (50) feet. Lot width for each attached dwelling unit shall be no less than thirty (30) feet. For purposes of this section, "lot width" shall include individual unit width.

8.1.3 **Lot Frontage.** Lots should have frontage of no less than fifty (50) feet, except for attached dwelling units and detached dwelling units on the radius of a cul-de-sac where such distance may be reduced to thirty (30) feet.

8.1.4 **Setbacks.** Except as further provided, no principal or accessory structure shall be closer than twenty (20) feet to a public street right-of-way or private street easement. Detached single-family dwellings shall be setback not less than fifteen (15) feet from a public street right-of-way or private street easement or as further provided herein.

- (A) **Minimum Side Yard.** The side yard area required for detached single-family and two-family attached dwellings should be no less than ten (10) feet.
- (B) **Minimum Rear Yard.** The rear yard area required for detached or attached dwelling units shall be no less than ten (10) feet.
- (C) **Periphery Boundary Setback.** No portion of a Planned Unit Development including accessory structures, parking areas, or required yard shall be located less than 30 feet from the peripheral boundaries of the Planned Unit Development.
- (D) **Additional Attached Dwelling Transition Setback.** The following scale shall be utilized in the calculation of the minimum building setback, in addition to the periphery boundary setback as specified above, between proposed attached dwelling units including their accessory structures and existing or proposed single-family development districts or other predominantly single-family development as defined herein that border the Planned Unit Development. For purposes of this section, OTHER PREDOMINANTLY

SINGLE-FAMILY DEVELOPMENT shall be that area within 100 feet of the external boundary of the Planned Unit Development District in which 50% or more of the conforming land uses are single-family residential.

Number of Units Per Building	Additional Setback (Feet)
2	20
3 - 5	40
6 - 10	60
11 or over	80

- (E) **Recreation Area Setback.** No portion of an active recreation area shall be located within twenty-five (25) feet of the external boundary of the Planned Unit Development.
- (F) **Transition Area Setback.** Where a Planned Unit Development adjoins, or borders an existing or proposed single-family development sharing common frontage on the same or opposite side of a public or private street, the minimum right-of-way and/or easement setback requirement of the single-family development shall be utilized for the entire opposite frontage and 200 feet from

8.1.5 **Building Separation.** Building separation within group developments containing two or more principal structures on one lot of record. No portion of a principal structure side building wall elevation shall be located less than twenty (20) feet from an adjacent principal structure as measured at 90 degrees at the closest point. Such common border. For purposes of this section, OTHER PREDOMINANTLY SINGLE-FAMILY DEVELOPMENT shall be that area within 100 feet of the external boundary of the Planned Unit Development District in which 50% or more of the conforming land uses are single-family residential.

8.1.6 **Architectural Extensions.** Architectural extensions including, but not limited to, bay windows, chimneys, open porches and decks, roof overhangs, and balconies shall not be considered in calculating building separation provided such encroachments are not more than three (3) feet.

8.1.7 **Building length.** No continuous unit or series of attached units shall exceed a combined length of two-hundred (200) feet.

- (A) No two units or structures shall be considered attached unless such units or structures share a five-foot common party wall.
- (B) Common party walls of attached units shall be constructed in accordance with the North Carolina State Building Code, G.S. Ch. 47C (North Carolina Condominium Act) and other applicable requirements.
- (C) The numbers of units per acre shall be based on the following formula: 1,500 square feet of land for each 1 BR unit 2,000 square feet of land for each 2 BR unit 2,500 square feet of land for each 3 BR unit 3,000 square feet of land for each 4 BR unit

8.1.8 Accessory Structure Requirements:

- (A) Shall not be within any front yard setback.
- (B) Shall not be located within ten feet of any other principal structure or within five feet of any other accessory structure, except as further provided.
- (C) Shall not cover more than 20% of any side or rear yard.
- (D) The side or rear yard requirement for attached and detached accessory structures shall be no less than five feet.
- (E) For purposes of this section, any accessory structure attached to a principal structure shall be subject to the setback requirements of the principal structure.

8.1.9 Trash/Garbage Container Requirements

If solid waste collection is accomplished using dumpsters instead of collection at each dwelling:

- (A) No container pad shall be located closer than twenty (20) feet to any dwelling structure.
- (B) Each container pad required to service the development shall be located within 200 feet of the dwelling units such container is intended to serve.
- (C) Container pads shall be enclosed on three sides by a complete visual screen consisting of a fence, vegetation, or combination thereof.

Section 8.2 NON-RESIDENTIAL USE DIMENSIONAL STANDARDS

8.2.1 **Lot Area.** The lot area for each non-residential unit shall be no less than 5,000 square feet.

8.2.2 **Lot Width.** Lot width for each non-residential unit shall be no less than fifty (50) feet. For purposes of this section, "lot width" shall include an individual non-residential unit width.

8.2.3 **Setback.** No principal or accessory structure shall be closer than twenty (20) feet to a public street right-of-way or private street easement.

- (A) **Minimum Side Yard.** Fifteen (15) feet.
- (B) **Minimum Rear Yard.** Twenty (20) feet.

Section 8.3 PARKING SPACE REQUIREMENTS

8.3.1 Number of Required Spaces

- (A) **Residential Parking.** Planned Unit Developments shall provide a minimum of two 10 by 20 feet paved parking spaces located within 500 feet of the use that it is intended to

serve, so designed not to allow parked vehicles to encroach within any public right-of-way or private street easement, for each dwelling unit.

- (B) **Non-Residential Parking.** Planned Unit Developments shall provide a minimum of one parking space for every two-hundred (200) square feet of non-residential unit area.
- (C) **Recreational Building.** One parking space shall be required per 200 square feet of floor area in each recreation building.
- (D) **Accessory Parking.** One accessory parking space shall be provided for every ten residential units.

Section 8.4 **OPEN SPACE REQUIREMENTS**

8.4.1 Planned Unit Developments shall reserve not less than twenty-five percent (25%) of the gross acreage as common open space.

8.4.2 If developed in sections, the common open space requirements set forth herein shall be coordinated with the construction of dwelling units and other facilities to ensure that each development section shall receive benefit of the total common open space.

8.4.3 Streets, private drives, off-street parking areas, and structures or buildings shall not be utilized in calculating or counting towards the minimum common open space requirement; however, lands occupied by recreational buildings and/or structures, bike paths, and similar common facilities may be counted as required open space provided such impervious surfaces constitute no more than five percent (5%) of the total required common open space.

8.4.4 **Surface Material.** All parking areas shall be constructed with a hard-surfaced all-weather material such as asphalt, concrete, brick, CABC, or any other approved materials.

8.4.5 In the designation of common open space, consideration shall be given to the suitability of location, shape, character, and accessibility of such space.

8.4.6 **Recreation.** A minimum of twenty-five percent (25%) of the required gross common open space in a Planned Unit Development shall be developed for recreational purposes. For purposes of this section, RECREATION shall include, but not be limited to, tennis courts, swimming pools, ball fields, fitness courses, multipurpose trails, and the like.

Section 8.5 **SITE PLAN DESIGN STANDARDS**

8.5.1 **Site Planning.** Site planning in the proposed development shall provide protection of the development from potentially adverse surrounding influences and protection of surrounding areas from potentially adverse influences within the development. Consideration will be given to the location of uses, type of uses, open space, recreation areas, street design, and arrangement in the evaluation of the development and its relationship with the surrounding areas.

8.5.2 **Service and Emergency Access.** Access and circulation shall be adequately provided for EMS, firefighting equipment, service deliveries, and refuse collection.

8.5.3 Underground Utilities. Planned Unit Developments shall be required to have underground utilities. Such proposed utilities shall be adequate to serve the proposed development and such utilities or streets.

8.5.4 Pedestrian Circulation. A pedestrian circulation system is encouraged in such development. Walkways for pedestrian use shall form a logical, safe, and convenient system of access to all dwelling units, project facilities, and principal off-site pedestrian destinations and meet ADA requirements. Walkways to be used by substantial numbers of children as routes to schools, play areas, or other destinations shall be so located and safeguarded as to minimize contact with normal automobile traffic. Street crossings shall be held to a minimum. Such walkways, where appropriately located, designed, and constructed may be combined with other easements and used by emergency or service vehicles, but not be used by other automobile traffic. In addition, bike paths may be incorporated into the pedestrian circulation system and are to be encouraged in such development.

Section 8.6 **STREET DESIGN STANDARDS**

8.6.1 For the purposes of the Planned Unit Development District, three types of streets shall be utilized to provide internal access to the development. The three types of streets are defined as:

- (A) **Minor Street.** Those streets within the Planned Unit Development, which provide linkage with major streets outside the Planned Unit Development District.
- (B) **Marginal Access Street.** Those streets, which connect with minor streets to provide access to individual buildings within the Planned Unit Development District.
- (C) **Private Street.** Those streets that provide access to individual buildings within the Planned Unit Development District.

8.6.2 The street design of all Planned Unit Developments shall be in conformance with NCDOT standards or Local Residential Roads as outlined in the minimum construction standards of the Division of Highways.

8.6.3 Upon approval of the Planning Board, interior roads may be allowed to be constructed as private streets, subject to the requirements above. Where such private streets are allowed, the homeowners' association or other designated responsible party shall perpetually maintain such private streets in suitable conditions and state of repair for Greene County to provide normal delivery of services, including, but not limited to, emergency services.

Section 8.7 **HOMEOWNERS' ASSOCIATION**

8.7.1 No final plat of a Planned Unit Development shall be approved until all required legal instruments have been reviewed and approved by the county attorney as to legal form and effect.

8.7.2 If common open space is deeded to a homeowners' association, the owner or developer shall file a declaration of covenants, conditions, and restrictions that will control such open space. The provisions of such declaration of covenants, conditions, and restrictions shall include, but not be limited to, the following:

- (A) The homeowners' association must be set up before any property is sold in the development.
- (B) Membership must be mandatory and automatic when property is purchased in the development.
- (C) The open space restrictions must be permanent, not just for a period of years
- (D) The association must be responsible for liability insurance, local taxes, and maintenance of recreational and other common facilities, including private streets
- (E) Homeowners must pay their pro rata share of the cost; the assessment levied by the association can become a lien on the property.
- (F) The association must be able to adjust the assessment to meet changed needs.
- (G) Covenants for maintenance assessments shall run with the land.
- (H) Provision insuring that control of such open space will gradually be vested in the homeowners' association.
- (I) All lands so conveyed shall be subject to the right of the grantee or grantees to enforce maintenance and improvement of the common facilities.

Appendix 1: Certificates

1.0 The certificates herein shall appear on final plats, if applicable.

1.1 Certificate of Ownership, Dedication, and Jurisdiction

1.1.1 MAJOR SUBDIVISIONS

I (We) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (We) hereby adopt this plan of subdivision with my (our) own free consent and dedicate all streets, alleys, walks, parks, conservation space and other areas to public or private use as noted. I (we) will maintain all such areas until the offer of dedication is accepted by the appropriate public authority, or until a home/property owners association is formed and takes such responsibility. All property shown on this plat as dedicated for a public use shall be deemed to be dedicated for any other public use authorized by law when such other use is approved by the Board of County Commissioners of Greene County in the public interest. Further, I certify that the land as shown hereon is located within the subdivision jurisdiction of Greene County.

Date

Signature of Owner

1.1.2 MINOR SUBDIVISIONS

I (We) hereby certify that I am (we are) the owner(s) of the property described hereon, which property is within the subdivision regulation jurisdiction of Greene County, and that I (we) freely adopt this plan of subdivision.

Date

Signature of Owner

1.1.3 CERTIFICATE OF OWNERSHIP AND INTENT (For Preliminary Plats)

I (we) hereby certify that I (we) am the owner(s) of the property shown and described hereon, which is located in the subdivision jurisdiction of Greene County, and that I (we) hereby adopt this plan of subdivision with my (our) free consent and establish my (our) intent to install and construct all improvements in this subdivision as to the County's minimum design requirements, as noted.

Date

Signature of Owner

1.2 Certificate of Accuracy and Mapping

I, _____ certify that this plat was drawn under my supervision from an actual survey made under my supervision, description recorded in Book____, Page____; that the error of closure as calculated by latitudes and departures is 1:____; that the boundaries not surveyed are shown as broken lines plotted from information found in Book____, Page____; that this map was prepared in accordance with G.S. 47-30 as amended.

Witness my hand and seal this ____ day of A.D., 20____

Seal

Surveyor, registration number

1.3 Certificate of Proposed Subdivision Road Construction Standards

Department of Transportation
Division of Highways
Proposed Subdivision Road

Construction Standards Certification approved _____
District Engineer

Date_____

1.4 Certificate of Disclosure - Greene County Flood Plain Management

I hereby certify that prior to entering into any agreement or any conveyance with a prospective buyer, I shall prepare and sign, and the buyer of the subject real estate shall receive and sign, a statement which fully and accurately discloses that the subject real estate, or a portion of the subject real estate, is located within a flood hazard area and that the buyer must satisfy the requirements of the Greene County Flood Plain Management Regulations prior to the issuance of construction permits.

Date

Signature of Owner

1.5 Certificate of Disclosure for Private Developments

I acknowledge that neither the State nor the County shall be responsible for maintenance of any streets, drainage, open space or other areas which are designated for private use. I acknowledge that prior to contracting with a prospective buyer, I shall give the buyer a written statement which discloses the existence and location of such private areas and specifies the maintenance responsibilities for same. When applicable, the statement shall disclose that the street(s) will not be constructed to minimum standards sufficient to allow their inclusion on the State highway system for maintenance.

Date

Signature of Owner

1.6 Certificate of Disclosure for Homeowner's Association Covenants, Conditions, and Restrictions.

North Carolina

Greene County

Home Owner's Association Covenants, Conditions and Restrictions filed for registration on the _____ day of _____ at _____ (a.m. / p.m.) and duly recorded in Deed Book _____, at Page _____.

Register of Deeds

1.7 Environmental Health Septic Tank Suitability Certificate

The following statement shall be placed on all subdivision plats that include building lots that do not have public sewer service available to them:

Applications for Improvement Permits for septic tank wastewater systems for lots _____ in this subdivision were received by Greene County Environmental Health (GCHD) on _____ and prepared by _____. GCHD conducted soil evaluations and issued Improvement Permits pursuant to N.C. General Statutes 130A-336 and 15A NCAC 18A.1900 et seq. An Improvement Permit may be revoked in some circumstances. Issuance of an improvement permit for a lot does not guarantee issuance of a construction authorization and/or operations permit for the lot. Results of the evaluation are _____.

Environmental Health Officer

Date

1.8 Certificate of Review Officer

North Carolina Greene County

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

Review Officer

1.9 Certificate of Registration by Register of Deeds

North Carolina Greene County

Filed for Registration on the _____ day of _____ (a.m. / p.m.) and duly recorded in Plat Cabinet _____, Page _____

Register of Deeds

1.10 Certificate of Approval

1.10.1 Certificate of Plat Approval for Construction of Improvements (For Preliminary Plats)

I hereby certify that the preliminary subdivision plat shown hereon has been found to comply with the requirements of the Subdivision Ordinance of Greene County, North Carolina and that this plat has been approved by the Development Review Board of Greene County to authorize the construction of the required improvements as noted.

Subdivision Administrator

Date

1.10.2 Major Subdivision

I hereby certify that the Major Subdivision shown on this plat is in all respects in compliance with the Subdivision Ordinance of Greene County, and that therefore this plat has been approved by the Greene County Development Review Board, subject to its being recorded in the Greene County Registry within ninety days of the date below.

Subdivision Administrator

Date

1.10.3 Minor Subdivision

I hereby certify that the minor subdivision shown on this plat does not involve the creation of new public streets or any change in existing public streets, that the subdivision shown is in all respects in Compliance with the Subdivision Ordinance of Greene County, and that therefore this plat has been approved by the Subdivision Administrator, subject to its being recorded in the Greene County Registry within ninety days of the date below.

Subdivision Administrator

Date

1.10.4 Exemption Approval Statement

This property is exempt from the Greene County Subdivision Ordinance per Section 4.2 (*) thereof.

Subdivision Administrator

Date

**The subdivider shall include the number of the exemption used as stated in subsections 1-5.*

1.11 Flood Statement

This property is located in zone_____, and is/is not within a Special Flood Hazard Areas, as determined by NIFP Rate Map Dated_____, _____: Community Panel Number_____

1.12 Swine Farm Statement

This property is/is not located within 750 feet of a swine farm.

Date _____

Surveyor _____