

ARTICLE III

PROCEDURE FOR REVIEW AND APPROVAL OF SUBDIVISION FLATS

Section 9-3025 Plat Shall be Required on Any Subdivision of Land

Pursuant to G. S. 160A, Article 19, Part 2, a final plat shall be prepared, approved, and recorded pursuant to the provisions of this ordinance whenever any subdivision of land takes place.

Section 9-3026 Approval Prerequisite to Plat Recordation

Pursuant to G. S. 160A-372, no final plat of a subdivision within the jurisdiction of the Town of Erwin as established in section 9-3004 of this ordinance shall be recorded by the Register of Deeds of Harnett County until it has been approved as provided herein. To secure such approval of a final plat, the subdivider shall follow the procedures established in this article.

Section 9-3027 Procedure for Review of Major or Minor Subdivisions

All subdivisions shall be considered major subdivisions except those defined as minor subdivisions in this Section. Major subdivisions shall be reviewed in accordance with the procedures in section 9-3029 through 9-3033. Minor subdivisions shall be reviewed in accordance with the provisions in Section 9-3028. A minor subdivision is defined as one involving no new public or private streets or roads, or right-of-way dedication, no easements, no utility extension.

Section 9-3028 Procedure for Review of Minor Subdivisions

9-3028.1 Sketch Plan for Minor Subdivision

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

- (a) A sketch vicinity map showing the location of the subdivision in relation to neighboring tracts, subdivisions, roads, and waterways;
- (b) The boundaries of the tract and the portion of the tract to be subdivided;
- (c) The total acreage to be subdivided;
- (d) The existing and proposed uses of the land within the subdivision and the existing uses of land adjoining it;
- (e) The existing street layout and right-of-way width, lot layout and size of lots;
- (f) The name, address and telephone number of the owner;
- (g) The name, if any, of the proposed subdivision;
- (h) Streets and lots of adjacent developed or plated properties;
- (i) The zoning classification of the tract of adjacent properties;
- (j) A statement from the Harnett County Health Department that a copy of the sketch plan has been submitted to them, if a septic tank system or other onsite water or wastewater systems are to be used in the subdivision.

The Subdivision administrator shall review it for general compliance with the requirements of this ordinance and the Zoning ordinance; the subdivision administrator shall advise the subdivider or his authorized agent of the regulations pertaining to the proposed subdivision and the procedures to be followed in the preparation and submission of the final plat.

One (1) copy of the sketch plan shall be retained by the subdivision administrator, and one (1) copy shall be returned to the subdivider or his authorized agent.

9-3028.2 Final plat for minor subdivisions. Upon approval of the sketch plan by the subdivision administrator the subdivider may proceed with the preparation of the final plat in accordance with the requirements of this ordinance.

The subdivider shall submit the final plat so marked, to the Subdivision Administrator who shall review it for compliance.

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

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

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

Submission of the final plat shall be accompanied by a filing fee of \$25.00 for major subdivisions and \$5.00 for Minor subdivisions.

The final plat shall meet the specification in section 9-3032 of this ordinance.

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

(a) Certificate of Ownership and Dedication

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

_____	_____
Date	Owner

(b) Certificate of Survey and Accuracy

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

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

the Erwin Town Board. Before rendering a final ruling, the Erwin Town Board may utilize the services of the Town Engineer, if such services are determined to be required. In such case, all engineering expenses shall be paid by the subdivider.

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

Section 9-3029 Sketch Plan for Major Subdivisions

9-3029.1 Number of Copies and Contents

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

- (a) A sketch vicinity map showing the location of the Subdivision in relation to neighboring tracts, subdivisions, roads, and waterways;
- (b) The boundaries of the tract and the portion of the tract to be subdivided;
- (c) The total acreage to be subdivided;
- (d) The existing and proposed uses of the land within the subdivision and the existing uses of land adjoining it;
- (e) The proposed street layout with approximate pavement and right-of-way width, lot layout and size of lots;
- (f) The name, address, and telephone number of the owner;
- (g) The name, if any, of the proposed subdivision;
- (h) Streets and lots of adjacent developed or plated properties;
- (i) The zoning classification of the tract and of adjacent properties;
- (j) A statement from the Harnett County Health Department that a copy of the sketch plan has been submitted to them, if a septic tank system or other onsite water or wastewater systems are to be used in the subdivision.

9-3029.2 Submission and Review Procedure

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

One (1) copy of the sketch plan shall be retained by the subdivision administrator and one (1) copy shall be returned to the subdivider or his authorized agent.

Section 9-3030 Preliminary Plat Submission and Review

9-3030.1. Submission Procedure

For every subdivision within the territorial jurisdiction established by section 9-3004 of this ordinance, which does not qualify for the abbreviated procedure, the subdivider shall submit a preliminary plat which shall be reviewed and considered for approval by the Planning Board, with the final approval being required by the Erwin Town Board.

Twenty (20) copies of the preliminary plat (as well as any additional copies which the Planning Board or the Town Board determines are needed to be sent to other agencies) shall be submitted to the Subdivision Administrator at least fifteen (15) days prior to the next regularly scheduled Planning Board meeting. Upon receiving the preliminary plat, the Planning Board shall make no recommendations for approval to the Erwin Town Board until the next regularly scheduled Planning Board meeting.

Preliminary plats shall meet the specifications in section 9-3032.

9-3030.2 Review by Other Agencies

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

9-3030.3 Review Procedure

If the Planning Board recommends approval of the preliminary plat, it shall be submitted to the Erwin Town Board for consideration for final approval. If the Erwin Town Board approves the preliminary plat, such approval shall be noted on two (2) copies of the plat. One copy shall be returned to the subdivider. If the Town Board approves the preliminary plat with conditions, approval shall be noted on two (2) copies of the plat along with the reference to the conditions. One (1) copy of the preliminary plat along with the conditions shall be returned to the subdivider. At any time during its review of the preliminary plat, the Town Board may choose to utilize the services of the Town Engineer to assist in the review process. The cost of the engineering services shall be paid for by the subdivider.

If the preliminary plat is disapproved, the subdivider may make the recommended changes and submit a revised preliminary plat.

Section 9-3031 Final Plat Submission and Review

9-3031.1 Preparation of Final Plat and Installation of Improvements

Upon approval of the preliminary plat by the Town Board, the subdivider may proceed with the preparation of the final plat and the installation of or arrangement for required improvements in accordance with the approved preliminary plat and the requirements of this ordinance. Prior to approval of a final plat, the subdivider shall have installed the improvements specified in this ordinance or guaranteed their installation the provided herein. No final plat will be approved by the Town Board unless accompanied by written notice by the Subdivision Administrator and certification of the Town Engineer, acknowledging compliance with the improvements and guarantee standards of this ordinance.

Section 9-3031.2 Improvements Guarantees

(a) Agreement and Security Required

In lieu of requiring the completion, installation, and dedication of all improvements prior to final plat approval the Erwin Town Board may enter into an agreement with the subdivider whereby the subdivider shall agree to complete all required improvements. Once said agreement is signed by both parties and the security required herein is provided, the final plat may be approved by the Planning Board, if all other requirements of this ordinance are met. To secure this agreement, the subdivider shall provide, subject to the approval of the Town Board, either one or a combination of the following guarantees not exceeding 1.25 times the entire cost as provided herein.

(1) 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 Town of Erwin and shall be in an amount equal to 1.25 times the entire cost, as estimated by the subdivider and approved by the Town Board, of installing all required improvements. The duration of the bond(s) shall be until such time as the improvements are accepted by the Town Board.

(2) Cash or Equivalent Security

The subdivider shall deposit cash, an irrevocable letter of credit or other instrument readily convertible into cash at face value, either with the Town or in escrow with a financial institution designated as an official depository of the Town. The use of any instrument other than cash shall be subject to the approval of the Town Board. The amount of deposit shall be equal to 1.25 times the cost, as estimated by the subdivider and approved by the Town Board, of installing all required improvements.

If cash or other instrument is deposited in escrow with a financial institution as provided above, then the subdivider shall file with the Town Board an agreement between the financial institution and himself guaranteeing the following:

- 1) That said escrow account shall be held in trust until released by the Town Board and may not be used or pledge by the subdivider in any other matter during the term of the escrow; and
- 2) That in the case of a failure on the part of the subdivider to complete said improvements the financial institution shall, upon notification by the Town Board, and submission by the Town Board to the financial institution of an engineer's estimate of the amount needed to complete the improvements, immediately either pay to the Town the funds estimated to complete the improvement, up to the full balance of the escrow account, or deliver to the Town any other instruments fully endorsed or otherwise made payable in full to the Town.

(b) 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 performance bond or escrow agreement, then the surety, or the financial institution holding the escrow account shall if requested by the Town Board, pay all or any portion of the bond or escrow fund to the Town of Erwin up to the amount needed to complete the improvements based on an engineering estimate. Upon payment, the Town Board, in its discretion, may expend such portion of said funds as it deems necessary to complete all or any portion of the required

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

The certificate shall take the following general form:

I, _____ certify that this map was (drawn by me) (drawn under my supervision) from (an actual survey made me) (an actual survey made under my supervision) (deed description recorded in Book _____, Page _____, Book _____, Page _____, ect.) (other); that the ratio of precision as calculated by latitudes and departure 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. 19____.

REGISTERED LAND SURVEYOR

Official Seal

REGISTRATION NUMBER

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

NOTARY PUBLIC

Official Seal

Certificate of Approval of the Design and installation of Streets, Utilities, and other Required Improvements.

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

Date

Subdivision Administrator

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

During its review of the final plat the Erwin Town Board shall have its Town Engineer to confirm the accuracy of the final plat. The costs shall for these engineering services shall be paid by the subdivider.

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

Certificate of Approval for Recording

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

<hr style="width: 30%; margin: 0 auto;"/> <p>Date</p>	<hr style="width: 80%; margin: 0 auto;"/> <p>Chairman of the Planning Board Erwin, North Carolina</p>
---	---

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

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

The subdivider shall file the approved final plat with the Register of Deeds of Harnett County within six (6) months of Planning Board approval; otherwise such approval shall be null and void.

Section 9-3032 Information to be Contained in or Depicted on Preliminary and Final Flat

The preliminary and final plats shall depict or contained the information:

- Title Block Containing
 - Property designation
 - Name of owner
 - Location (including township, county and state)
 - Date or dates survey was conducted and plat prepared
 - A scale of drawing in feet per inch listed in words or figures
 - A bar graph
 - Name, address, registration number and seal of the Registered Land Surveyor
 - The name of the subdivider
 - A sketch vicinity map showing the relationship between the proposed subdivision and surrounding area
 - Corporate limits, township boundaries, county lines if on the subdivision tract
 - The names, addresses and telephone numbers of all owners mortgagees, registered land surveyors, land planners, architects, and professional engineers responsible for the subdivision
 - The registration numbers and seals of the professional engineers

- Date of plat preparation
- North arrow and orientation
- The boundaries of the tract or portion thereof to be subdivided, distinctly and accurately represented with all bearings and distances shown
- 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
- The names of owners of adjoining properties
- The names of any adjoining subdivisions of record or proposed and under review
- Minimum building setback lines
- The zoning classifications of the tract to be subdivided and adjoining properties
- Existing property lines on the tract to be subdivided and on adjoining properties
- Existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining
- Proposed lot lines, lot and block numbers, and approximate dimensions
- The lots numbered consecutively throughout the subdivision
- Wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or streambeds and any other natural features affecting the site
- The exact location of the flood hazard, floodway and floodway fringe areas from the community's FHBM or other FEMA maps

The following data concerning streets:

- Proposed streets
- Existing and plated streets on adjoining properties and in the proposed subdivision
- Rights-of-way, locations and dimensions
- Payment widths
- Approximate grades
- Design engineering data for all corners and curves
- Typical street cross sections
- Street names
- Type of street dedication; all streets must be designated either "public" or "private", Where public streets are involved which will not be dedicated to a municipality, the subdivider must submit the following documents to the N. C. Department of Transportation District Highway Office for review: A complete site layout, including any future expansion anticipated; horizontal alignment indicating general curve data on site layout plan; vertical alignment indicated by percent grade, PI station and vertical curve length on site plan layout; (the District Engineer may require the plotting of the ground profile and grade line for roads where special conditions or problems exist); typical section indicating the pavement design and width and the slopes, widths and details for either the curb and gutter or the shoulder and ditch proposed; drainage facilities and drainage areas.
- If any street is proposed to intersect with a state maintained road, the subdivider shall apply for driveway approval as required by the North Carolina Department of Transportation, Division of Highways' Manual on Driveway Ordinance. Evidence that the subdivider has obtained such approval.

The location and dimensions of all:

- Utility and other easements
- Riding trails

- Natural buffers
- Pedestrian or bicycle paths
- Parks and recreation areas with specific type indicated
- School sites
- Areas to be dedicated to or reserved for public use
- Areas to be used for purposes other than residential with the purpose of each stated
- The future ownership (dedication or reservation for public use to governmental body, for owners to duly constituted homeowners' association, or for tenants remaining in subdivider's ownership) of recreation and open space lands

The plans for utility layouts including:

- public or community Sewage System (if any)
- storm sewers
- other drainage facilities, (if any)
- public water system (if any)
- natural gas lines
- telephone lines
- electric lines
- illustrating connections to existing systems, showing line sizes, the location of fire hydrants, blowoffs, manholes, force mains and gate valves.
- plans for individual water supply and septic tank systems, if any
- the name and location of any property or buildings within the proposed subdivision or within any contiguous property that is located on the U.S. Department of Interior's National Register of Historic Places.
- A copy of any proposed deed restrictions or similar covenants. Such restrictions are mandatory when private recreation areas are established.
- A copy of the erosion control plan submitted to the appropriate authority, and a copy of the letter of approval of the erosion control plan by the appropriate authority.
- Topographic map with contour intervals of five feet
- All certifications required in Section 9-3031

Information to be Contained in or Depicted on the Preliminary Plat

- profiles based upon Mean Sea Level datum for sanitary sewers and storm sewers

Site calculations including:

- acreage in total tract to be subdivided
- acreage in parks and recreation areas and other nonresidential uses
- total number of parcels created
- acreage in the smallest lot in the subdivision
- linear feet in streets

Information to be Contained in or Depicted on the Final Plat

- Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles, and tangent distance for the center line of curved property lines that are not the boundary line of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.

- The accurate locations and descriptions of all monuments, markers and control points.
- Where streets are dedicated to the public, but not accepted into a municipal or the state system before lots are sold, a statement explaining the status of the street

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

- public or community sewage system (if any)
- storm sewers
- other drainage facilities (if any)
- natural gas lines
- telephone lines
- electric lines
- approximate grades
- design engineering data for all corners and curves

ARTICLE IV

REQUIRED IMPROVEMENTS, DEDICATION, RESERVATION, MINIMUM STANDARDS OF DESIGN

Section 9-3035 General