

4 - Required Improvements & Design Standards

4.1 Purpose

The following section shall include the improvements required for any development occurring within the City of Archdale's Zoning Jurisdiction.

4.2 Construction and Development Standards

This section makes reference to the City of Archdale's Construction Development Standards – a set of documents adopted and maintained outside of this ordinance. All public improvements intended for acceptance by the City of Archdale shall be designed and constructed to the specifications of these standards.

4.3 Standards for Utilities

Specifications for the design and installation of public utilities shall be in accordance with the City of Archdale Construction and Development Standards. Electrical, cable, telephone, and other utility lines shall be installed underground unless the TRC determines that underground installation is infeasible. Nothing in this section shall be deemed to require the burying of aboveground electrical utilities that are in existence at the time of plat approval and located outside of the boundaries of the parcel(s) being subdivided, regardless of whether such existing utilities are relocated during development, per North Carolina General Statute 160D-804(h).

4.4 Street Network

4.4.1 Blocks

The purpose of this subsection is to discourage long blocks lined with homes and other buildings, which reduces street connectivity and diminishes the efficiency of public and safety services, while increasing distances between residences and non-residential destinations or public gathering places. The maximum length of any blocks within a subdivision shall not exceed that as shown in Table 4.4.1. Block length shall be measured from the centerline of an intersecting street to the centerline of the next intersecting street or the center point of the terminus of the street.

Table 4.4.1 - Block Length Requirements

Zoning District	Maximum Length (in feet)
R-40	800
R-12.5 / R-15	640
R-10	600
M-1, M-2	N/A
All other Districts	600

4.4.2 Standards for Street Design

Public and/or private streets shall be designed in accordance with the City of Archdale Construction and Development Standards.

4.4.3 Standards for Sidewalks

- a. Sidewalks shall be constructed on both sides of all newly constructed streets, and shall be installed along all non-limited access road frontages on existing streets adjoining or traversing through the limits of a subdivision.
- b. The provisions of 4.4.3.a. shall not apply to newly constructed streets within a major subdivision that is platted within an R-40 zoning district or within subdivisions where a paved off-street shared-use path is installed within 500 feet of each lot, and the path connects to any internal private recreation amenities, mail kiosks, internal or adjoining public greenways, and external public sidewalk.
- c. All sidewalks shall be constructed as specified in the Construction and Development Standards.

4.4.4 Standards for Street Lighting

Street lights shall be installed along all newly constructed streets within subdivisions. All public streets require an outdoor street lighting plan that shall be designed in accordance with the accepted Street Lighting standards described in the City of Archdale Construction and Development Standards..

4.4.5 Traffic Impact Analysis

- a. Prior to the submission of a Preliminary Plat, a traffic impact analysis (TIA) shall be prepared for any subdivision that will generate more than 50 AM or PM peak hour trips, as determined by the most recent version of the ITE Trip Generation Manual .
- b. The Administrator and City Engineer shall approve the scope of the TIA prior to its preparation. Where a subdivision will take access from an NCDOT maintained road and the District Engineer or his designee also requires a TIA for the NCDOT driveway permit, all elements of the NCDOT required TIA scope shall be incorporated into the City's approved scope.
- c. The TIA shall document the traffic operational impacts on the key roadway segments and intersections that have been identified as the primary accesses to the proposed development.
- d. Where safety and operational deficiencies are identified by the TIA as being the result of the proposed subdivision, the applicant shall provide for the construction of such improvements as are deemed necessary by the TIA to mitigate the impact of the subdivision on the function of the impacted roadway, subject to NCDOT concurrence, where required.

4.5 Off-Street Shared Use Paths (Greenways)

4.5.1 Standards for Shared Use Paths

- a. Off-street shared use paths shall be installed in such locations as designated on the City's adopted Pedestrian and Trails Master Plan, and may be installed in such other locations as desired by the subdivider.
- b. Where the route of a shared use path continues onto a neighboring property, the path shall extend to the property line.
- c. Subdivisions located adjacent to a property which contains a shared use path or the future route of a shared use path shall install a pedestrian connection to the neighboring property.
- d. Easements for off-street shared use paths shall be dedicated to the public and the paths shall be maintained by the City of Archdale.

- e. Off-street shared use paths shall be constructed in accordance with the City of Archdale Construction and Development Standards.

4.6 Lot Design

4.6.1 Minimum Lot Standards

- a. The provisions of this Section shall apply to any newly created or proposed lot or parcel resulting from a subdivision of land as provided for in this Ordinance.
- b. Lots shall meet or exceed the standards of the Zoning District in which they are located, as established in the City of Archdale Zoning Ordinance, and shall be designed for their potential uses, so that adequate buildable area is provided and adequate room for required setbacks and buffer yards will exist on the lot.

4.6.2 Lot Frontage and Street Access Requirements

- a. Unless otherwise permitted herein, every lot resulting from a subdivision of land as provided for in this Ordinance shall abut and have direct access to a publicly maintained street or other public right-of-way legally dedicated, except as provided in this Section.
- b. Minor subdivisions shall not result in the creation of more than three (3) lots (inclusive of the “parent” or “remainder” parcel) that take direct access from a street classified as a collector or arterial as shown on the NCDOT Functional Classification Map or in a plan adopted by the City of Archdale. The subdivider shall note on the final plat that further subdivision of the parent parcel and any new parcels created by such subdivision shall be prohibited unless access is provided by means of an internal local street.
- c. Within major subdivisions intended for residential development, no lot shall be permitted to take direct access from a new or existing street that is classified as a collector or arterial street as shown on the NCDOT Functional Classification Map or in a plan adopted by the City of Archdale. The subdivider shall note on the final plat that parcels situated adjacent to a collector or arterial street are prohibited from directly accessing such street.
- d. Frontage on a public street shall not be required in the following situations; provided, however, that an easement or other right-of-way arising out of operation of law providing access to the public street shall be recorded and submitted with the application for development approval:
 - i. Parcels within non-residential subdivisions
 - ii. Multi-family lots where the individual lots are separated from a public right-of-way by a strip of land under common ownership by the owners of the multi-family lots, and/or
 - iii. Lots fronting on approved private streets.
 - iv. Parcels provided access via an approved easement pursuant to the requirements of this Ordinance
- e. In the R-40 District, the subdivision of an existing parcel having the required lot frontage that creates no more than two new lots without direct street access shall be permitted where:
 - i. A permanent dedicated access easement with minimum continuous width of 25 feet is provided for any lot that does not have direct street access. Such access easement may be shared with up to three (3) lots.
 - ii. The recorded documents creating the easement shall specify that public service, utility, and emergency personnel and vehicles shall have freedom of ingress and egress from the property.
 - iii. The recorded documents creating the easement shall also specify that utilities (i.e., natural gas, electricity, telephone, cable) may be installed within the easement.
 - iv. The recorded documents creating the easement shall also include a statement specifying the party or parties responsible for maintaining the easement and its traveled surface.

- v. The access easement must have an all-weather surface of gravel, concrete, or asphalt with a minimum continuous width of 12 feet and a minimum overhead clearance of 14 feet to ensure access of public service, utility, and emergency personnel and vehicles.
 - vi. The grantor and grantee of the easement will agree to continuously keep the easement free and clear of any-and-all obstructions that would in any way impede vehicular traffic.
 - vii. Any resulting lot not having direct access to a public street shall be restricted to single-family residential use.
- f. Lots shall be designed with adequate provisions for physical access to the property from public streets for vehicles and utilities and for public safety equipment.

4.6.3 Lot Area Characteristics

- a. Within Major Subdivisions intended for residential use, no lot intended for private ownership and development for residential purposes shall contain:
- i. Designated flood hazard areas (1% annual chance of flooding) or floodways;
 - ii. A body of water, whether natural or manmade, including lakes, ponds, and creeks;
 - iii. Stormwater control structures, excluding conveyances (pipes, channels, etc.);
 - iv. Dedicated open space or conservation land;
 - v. Required buffers (excluding general zoning setbacks)

4.6.4 Cul-de-sac Lots

A lot located on a cul-de-sac that does not maintain the minimum required width along the public street frontage shall provide:

- i. Lot frontage of at least 50% of the minimum required, but in no case less than 25 feet,
- ii. Lot area equal to or greater than the minimum lot area (if one is specified), and
- iii. The minimum required lot width at the building line.

4.6.5 Corner Lots

Side lot lines of lots abutting a public or private right-of-way shall, to the extent practicable:

- i. Run at right angles to the right-of-way line, or
- ii. In the case of cul-de-sacs or curvilinear street rights-of-way, radial to the curve.

4.6.6 Thoroughfare Buffer Yard for Major Residential Subdivision

- a. A buffer yard shall be required along the perimeter of a major residential subdivision in order to separate residential lots from abutting thoroughfares and abutting non-residential uses.
- b. The buffer yard for abutting non-residential uses shall be designed and landscaped per Article X of the Zoning Ordinance.
- c. All required buffer yards shall be platted as common areas and may be included as open space, provided that the common area parcel(s) created by such division meet the minimum open space dimension and design standards.

4.7 Cluster Subdivisions

4.7.1 Cluster Subdivisions - Maximum Number of Lots

- a. The maximum number of lots that may be created in a cluster subdivision shall be computed from the gross area of land to be developed, subtract 20% that represents the approximate area needed for street right-of-way.

- b. Divide the remainder by the minimum lot area requirement for single-family dwellings of the zoning district where the development is located.
- c. The result is the maximum number of lots that may be created in the subdivision. The 20% factor shall be constant regardless of the actual amount of land used for street right-of-way.

4.7.2 Cluster Subdivisions - Minimum Standards for Lots

- a. A cluster subdivision with approved public utility systems, shall be exempt from the minimum lot sizes specified in the Zoning Ordinance. In no case, shall the lot sizes be reduced below 75% of the minimum size specified for the district in which the subdivision is located.
- b. Minimum lot width and principal structure setbacks for the zoning district may also be reduced by 25%. These may be reduced further if additional land area is devoted to common open space. For each additional 1% of gross land area devoted to common open space, above the required 20%, a 1% decrease in the minimum lot width and setback requirements shall be permitted.
- c. In no event shall these dimensional reductions exceed 50% of the zoning district requirements.

4.7.3 Cluster Subdivisions - Open Space Designation

- a. At least 20% of the total project area shall be set aside as common open space.
- b. All land set aside to meet the required open space standards for a cluster subdivision shall be designated as common open space.
- c. Such common open space shall be held in nonprofit corporate ownership by the owners of lots within the development or an accredited land conservation organization. Land designated as common open space shall not be conveyed to the City of Archdale without the prior consent of the City Council.
- d. In consideration of the purposes served by a cluster subdivision, the title to such areas as provided shall be preserved to the perpetual benefit of the public generally or the private properties in the development and shall be restricted against private ownership for any other purposes.
- e. Improvements clearly incidental to the purpose of these provisions (i.e., paved greenways, trails, benches, shelters, etc.) may be made within the open space provided that the maximum coverage of such improvements shall not exceed 10% of the open space.

4.8 Public Parks and Open Space

4.8.1 Connection to Public Parks

- a. The Administrator may require connection to a public park if the proposed subdivision is adjacent to the boundary of a park .

4.8.2 Dedication of Parks and Public Open Space

- a. Pursuant to the authority under NCGS 160D-804(d), each proposed Major Subdivision intended for residential use, or which contains a residential component, shall either dedicate land for public recreational and open space purposes or pay a fee in lieu of such dedication.
- b. The Administrator shall, in consultation with the City Manager and Parks and Recreation Director, determine whether land shall be dedicated or whether the subdivider shall pay the fee in lieu.
- c. The City shall utilize its adopted Parks and Recreation Master Plan as a guide in determining whether land dedication or the receipt of a fee in lieu will better serve the public interest and advance the implementation of the plan.
- d. The amount of land required to be dedicated for public recreation and open space purposes shall be 1 acre per 25 lots, or fraction thereof.

- e. Where the City determines that dedication of land is required, the City shall work with the subdivider to establish the location and boundaries of the land to be dedicated. The City Council shall render the final decision on the location of land to be dedicated in the event that negotiations regarding location do not produce an agreement. The City shall be responsible for all costs associated with making surveys or assessments of the land in making such determination.
- f. Where the City chooses to require a fee in lieu of dedication, the subdivider shall pay, prior to final plat approval, a fee in an amount equivalent to the assessed value of the land which would have been required to be dedicated. The assessed value shall be determined by the latest assessment of the property for taxation purposes. Property in a present use value or other deferred value status at or prior to final plat approval shall utilize the full valuation of the land as shown in the tax assessor's records.
- g. Where dedication of land is required by the City, the subdivider shall prepare a general warranty deed and deliver such to the City for the park land to be dedicated prior to filing the first final plat for the subdivision.
- h. In those circumstances where land in excess of the amount required to be dedicated is necessary to provide an adequate park or recreational facility, in furtherance of the Parks and Recreation Master Plan, the City may require the reservation of such additional land within the subdivision as park land and negotiate the terms of the acquisition of the additional land with the developer.
- i. All funds received as a fee in lieu of land dedication shall be designated for use for the acquisition, construction, or improvement of park land or facilities in the vicinity of the subdivision with which the fee is associated. For purposes of meeting this requirement, the City shall consult the park service areas depicted in the adopted Parks and Recreation Master Plan as a guide prior to expending any funds collected under this provision.

4.9 Required Common Open Space

4.9.1 General Requirements

- a. All Major Subdivisions intended for residential use or having a residential component with a project area of 20 acres or larger shall provide common open space dedicated for the use of the residents of the subdivision. This requirement shall not apply to any subdivision that is required to dedicate land for public park purposes.
- b. The minimum amount of land required to be set aside as common open space shall be 10% of the total area of the subdivision.
- c. Common open space areas shall be maintained so that their use and enjoyment as open space are not diminished or destroyed.
- d. Common open space shall be owned and maintained by a property owners association.
- e. Land designated as common open space shall be maintained as open space and may not be separately sold, subdivided, or developed.

4.9.2 Open Space Characteristics

- a. Land that is required to be reserved to meet the requirements of this section shall not consist of any areas that are otherwise required to be designated as common area within a subdivision, as set forth in Section 4.6.3.
- b. Land used to meet the requirements of this section may not consist of any areas that have a post development slope greater than 3:1.
- c. Land used to meet the requirements of this section shall not contain any structured active recreation facilities (pools, tennis courts, etc.), but may consist of unstructured / open recreation areas.

d. Communal gathering areas, such as squares, greens, picnic areas (including standalone shelters) and similar spaces are permitted to occupy up to 25% of the total required common open space.

4.9.3 Location and Dimensions of Required Common Open Space

- a. Common open space shall be located in areas where it can be easily accessed by the residents of the subdivision, and, generally, all lots within a proposed subdivision shall be located within a 5-to-10-minute walk of a designated open space area (1/4 to 1/2 mile by sidewalk or pedestrian route).
- b. Areas designated to meet the common open space requirement shall have minimum dimensions of 50 feet, with the exception of public gathering spaces (squares, greens, etc.) that are integrated into the neighborhood and front on a street, where a minimum dimension of 20 feet is permitted.
- c. No individual area used to meet the requirements of this section shall comprise less than 25% of the total required amount of common open space, with the exception of public gathering places, subject to the overall limitation on the amount of land that may be designated as such.

4.9.4 Access to Common Open Space

- a. All areas designated as common open space are to be accessible to pedestrians by one of the following:
 - i. Frontage on a public street right-of-way
 - ii. Recorded pedestrian easement (min. 25 feet wide), or
 - iii. Fee simple property.
- b. Upon review of the design by the Administrator, additional pedestrian access points may be required.

4.10 Fee-in-Lieu of Improvements

- a. Where it is determined by the City Council that the construction of public improvements would not be feasible, the City may accept a fee paid in lieu of making such improvements. Examples of situations where a public improvement may be determined to be infeasible include circumstances where:
 1. A street improvement project is planned where a sidewalk is required to be installed and would result in the removal of the new sidewalk and require the City to replace the new sidewalk during the street improvement project.
 2. A small portion of a subdivision abuts a road that lacks curb, gutter, and sidewalks, and installing them at the present time would create issues with the function of the existing storm drainage system.
 3. The City is planning on installing a bridge over a creek on its greenway network to access a trail in the subdivision, but the precise location has not been determined, and the connection from the trail in the subdivision to the bridge needs to be delayed until the crossing location is determined.
- b. Payments-in-lieu of construction and dedication of improvements shall be approved as part of the Preliminary Plat.
- c. A combination of public improvements and payments-in-lieu of construction and dedication may be permitted.
- d. All fees collected in lieu of the construction and dedication of required public improvements shall be earmarked for the construction of the designated improvements, or where, such improvements remain infeasible, for the provision of similar facilities or infrastructure that will provide equivalent benefit to the properties from which the fee was required.

4.11 City Initiated Improvements

Where the City Manager determines that improvements to be completed by a subdivider should be constructed in an alternate manner, for example the installation of a larger diameter water line than required to serve an individual subdivision, he may require the inclusion of such improvement in the construction plans for the subdivision. Whenever such determination is made, the City shall enter into an agreement with the subdivider to fund the difference in cost between the necessary improvement and the City's desired improvement. If an agreement cannot be reached regarding the cost, timing, or other aspect of the project, the City Manager may request that the City Council require the subdivider to pay the cost of the necessary improvement for the subdivision to the City in lieu of constructing the City's desired improvement.

4.12 Property Owner's Association

4.12.1 Conditions Requiring Owner's Association

An Owner's Association shall be established to fulfill the requirements of the NC Condominium Act or to accept conveyance and maintenance of all common areas and facilities within a development containing common areas. The Owner's Association shall be in legal existence prior to conveyance, lease-option, or other long-term transfer of control of any unit or lot in the development.

4.12.2 Home Owner's Association Requirements

- a. Common ownership of the open space by an Owner's Association that assumes full responsibility for its maintenance. The restrictive covenants shall provide that, in the event the Owner's Association fails to maintain the open space according to the standards of this Ordinance, the City may, following reasonable notice:
 - i. Demand that deficiency of maintenance be corrected; or
 - ii. Enter the open space to maintain same. The cost of such maintenance shall be charged to the Owner's Association.
- b. The Owner's Association shall be responsible for maintaining the completed permanent runoff control structure as directed by the governmental office having jurisdiction for watershed protection and, if the owner's association should be dissolved or cease to exist, then in that event, all of the owners of record at the time of required maintenance shall be jointly liable for any and all costs attendant thereto.
- c. All subdivisions requiring the development of new public roads must be named. The name of the subdivision shall not duplicate nor closely approximate the name of an existing subdivision within the City or ETJ. A sign clearly indicating the name of the subdivision shall be posted at the main entrance to the subdivision.
- d. Construction of the subdivision sign shall be the responsibility of the applicant. A sign easement equal to one and one-half times the size of the sign shall be provided for the location of the sign. Ownership of the easement and sign shall be the responsibility of the Owner's Association that assumes full responsibility for its maintenance. In the event that the Owner's Association fails to maintain the sign and easement to the standards of this Ordinance, the City may, following reasonable notice:
 - i. Demand that the deficiency of maintenance be corrected; or
 - ii. Enter the easement to maintain same.
 - iii. The cost of such maintenance shall be charged to the Owner's Association.

4.12.3 Cluster Development - Requirements for Non-Profit Ownership of Open Space

- a. Where the open space is to be deeded to Owner's Association or other such nonprofit ownership, the developer shall file a declaration of covenants and restrictions that will govern the open space and the association of nonprofit organizations. This declaration shall be submitted with Preliminary Plat approval and shall include, but not be limited to the following:
 - i. The Owner's Association or the nonprofit organization shall be established before any lots are sold.
 - ii. Membership shall be mandatory for each lot buyer and any successive buyer.
 - iii. The association shall provide for liability insurance, any taxes, and maintenance of all grounds and facilities.
 - iv. Any sums levied by the Owner's Association that remain unpaid shall become a lien upon the lot owner's property.
- b. If all or any portion of the property held by the Owner's Association is to be disposed of or if the association is dissolved, all such property shall be deeded in fee simple absolute title to the City at no cost to the City.