

WARREN COUNTY NORTH CAROLINA SUBDIVISION ORDINANCE



ORDINANCE - REVISED/AMENDED MARCH 1, 2010

ORDINANCE - EFFECTIVE/CURRENT MARCH 1, 2010

(March 1, 2010 Warren County Subdivision Ordinance supersedes/replaces all Warren County Subdivision Ordinances prior to March 1, 2010)

ORDINANCE - REVISED/AMENDED SEPTEMBER 6, 2011

ORDINANCE - EFFECTIVE/CURRENT SEPTEMBER 6, 2011

(September 6, 2011 Warren County Subdivision Ordinance supersedes/replaces all Warren County Subdivision Ordinances prior to September 6, 2011)

ORDINANCE - REVISED/AMENDED MARCH 12, 2012

ORDINANCE - EFFECTIVE/CURRENT MARCH 12, 2012

(March 12, 2012 Warren County Subdivision Ordinance supersedes/replaces all Warren County Subdivision Ordinances prior to March 12, 2012)

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ORDINANCE - REVISED/AMENDED SEPTEMBER 6, 2011
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ORDINANCE - REVISED/AMENDED MARCH 12, 2012
ORDINANCE - EFFECTIVE/CURRENT MARCH 12, 2012

(March 12, 2012 Warren County Subdivision Ordinance supersedes/replaces all Warren County Subdivision Ordinances prior to March 12, 2012)

SUBDIVISION ORDINANCE

(Pre-September 6, 2011 Revision)

Prepared For: County of Warren Commissioners

Clinton G. Alston, Chairman
Ulysses Ross, Vice-Chairman
William Davis
Ernie Fleming
Barry Richardson
Clerk to the Board:
Angelena Kearney-Dunlap
Deputy Clerk to the Board:
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Prepared By: Warren County Planning Board

Al Cooper, Chairman
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Prepared By: Warren County Planning and Zoning Section Staff

SUBDIVISION ORDINANCE

(September 6, 2011 Revision/Adoption and Post September 6, 2011)

Prepared For: County of Warren Commissioners

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ARTICLE I

GENERAL PROVISIONS

Section 101 TITLE: This document shall be known as the Subdivision Ordinance and may also be referred to as Subdivision Regulations for the Unincorporated Areas of Warren County, Lake Gaston, Kerr Lake and the municipalities for which Subdivision Administration is contracted.

Section 102 PURPOSE: Past and current development patterns in Warren County require that consideration be given to guiding traffic patterns, preserving farm land, limiting land uses within appropriate land classifications – as it relates to Zoning and creating higher development standards. The design standards set forth in this Ordinance aim for orderly growth and development of new neighborhoods; the coordination of streets within proposed neighborhoods with existing or planned streets and with other public facilities; the general distribution of population and traffic in a manner that will avoid congestion and overcrowding; the dedication or reservation of farmland, forests, natural areas, parks, squares, and recreational areas, improved and accessible to all residents of the neighborhood to serve as community focal points; and detailing of the public domain of streets, parks, and squares to promote civic awareness and responsibility, discourage high speed through traffic by encouraging speed tables, and provide for pleasing visual environments that do not threaten conditions essential to public health, safety, and the general welfare of the citizens of Warren County.

This ordinance is designed to further ensure adequate and proper usage of public water, public sewage (future), parks and open space and schools. The allowance for subdividing large tracts of land into smaller parcels of land, along with providing proper land records for the convenience of the public and for better identification and permanent location of real property boundaries.

Section 103 AUTHORITY & GRANT OF POWER: This ordinance is adopted under the authority and provisions of the General Statutes (GS) of North Carolina, Chapter 153A, Article 18, Part 2., in accordance with G S 153A-340, Section 5(g) Grant of power - A member of the Planning Board shall not vote on any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

Section 104 JURISDICTION: The regulations contained herein shall govern each subdivision of land within Warren County, North Carolina as provided in General Statute 153A, Article 18, except those lands lying within the jurisdiction of any municipality, unless such municipality shall have by resolution requesting the County to enforce these regulations within the municipality's area of jurisdiction.

Section 105 PRE-REQUISITE TO PLAT RECORDATION: After the effective date of this ordinance, the Planning Board shall approve each individual subdivision plat or exempt plat of land in Warren County, North Carolina's jurisdiction or a Review Officer in the Planning & Zoning/Code Enforcement Department of Warren County shall approve its authorized representative prior to recordation and each exempt plat.

ARTICLE II

COMPLIANCE WITH OFFICIAL PLANS

Section 201 THOROUGHFARE PLANS: Where a proposed subdivision includes any part of the thoroughfare, which has been designated as such upon the officially adopted Thoroughfare Plan of the County of Warren, such part of such thoroughfare shall be platted by the subdivider in the location shown on the plan and at the width specified in this ordinance. However, no dedication of highway or street right-of-way shall be required unless the dedication is reasonably related to the traffic generated by the subdivision.

Section 202 SCHOOL PLANS: The ordinance may provide for the reservation of school sites in accordance with comprehensive land use plans approved by the planning agency. In order for this authorization to become effective, before approving such plans the planning agency and the board of

education with jurisdiction over the area shall jointly determine the specific locations and size of any school sites to be reserved, which information shall appear in the comprehensive land use plan. Whenever a subdivision is submitted for approval which includes part or all of a school site to be reserved under the plan, the planning agency shall immediately notify the board of education and the board 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 council or planning agency and no site shall be reserved. If the board does not wish to reserve the site, the subdivision shall not be approved without such reservation. The board of education shall then have 18 months beginning on the date of final approval of the subdivision within which to acquire the site by purchase or by initiating condemnation proceedings. If the board of education has not purchased or begun proceedings to condemn the site within 18 months, the subdivider may treat the land as freed of the reservation.

Section 203 ZONING AND OTHER PLANS: Proposed subdivisions must comply in all respects with the requirements of the Zoning Ordinance, Manufactured Home Ordinance, Flood Damage Prevention Ordinance and Ordinances applicable to the various towns with which the County Planning Department is contracted to provide Subdivision Administration.

Section 204 EXEMPTIONS: The following types of plats shall be exempt from the review of the Subdivision Ordinance requirements, but shall comply with GS 47-30 (f) (1-10) and other listed contents:

1. **Combination/Recombination** - The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County as shown by the regulations prescribed by this ordinance, shall be exempt
2. **Divisions Greater Than Ten (10) Acres** - The division of land into parcels greater than ten (10) acres where no street right-of-way dedication is involved shall be exempt.
3. **Public Acquisitions/Right-of-Way** - The public acquisition by purchase of strips of land for the widening or openings of street shall be exempt.
4. **Lots Of Record Not Platted** - Lots of record which were recorded by a deed in the Warren County Courthouse prior to the adoption of the subdivision ordinance may have a plat prepared and recorded.
5. **Cemetery Lots** - Individual cemetery plots may be platted and recorded that do not meet the minimum lot size requirement of the zoning district in which it exists; however, the cemetery shall comply with the applicable zoning district regulations.
6. **Utility Easements/Lease Agreements** - Utility easements shall be shown on subdivision plats as required by this ordinance; however, utility easements and utility lease agreements for distribution boxes or structures shall be exempt from the subdivision regulations.
7. **Conservation Easement**
8. **Estate Exclusion** - A voluntary partition or subdividing of land made for dividing the estate of a descendant among his/her heirs, whether the descendant died testate or intestate. In the event of a transfer or division of an estate in which interior parcels do not abut a public road, each such parcel must have an approved access to a public road with a minimum of a fifty (50) foot right-of-way.

Every exempt plat shall contain the following specific information:

- (1) An accurately positioned north arrow coordinated with any bearings shown on the plat. Indication shall be made as to whether the north index is true, magnetic, North Carolina grid ("NAD 83" or "NAD 27"), or is referenced to old deed or plat bearings. If the north index is magnetic or referenced to old deed or plat bearings, the date and the source (if known) the index was originally determined shall be clearly indicated.

- (2) The azimuth or course and distance of every property line surveyed shall be shown. Distances shall be in feet or meters and decimals thereof. The number of decimal places shall be appropriate to the class of survey required.
- (3) All plat distances shall be by horizontal or grid measurements. All lines shown on the plat shall be correctly plotted to the scale shown. Enlargement of portions of a plat are acceptable in the interest of clarity, where shown as inserts. Where the North Carolina grid system is used, the grid factor shall be shown on the face of the plat. If grid distances are used, it must be shown on the plat.
- (4) Where a boundary is formed by a curved line, the following data must be given: actual survey data from the point of curvature to the point of tangency shall be shown as standard curve data, or as a traverse of bearings and distances around the curve. If standard curve data is used the bearing and distance of the long chord (from point of curvature to point of tangency) must be shown on the plat.
- (5) Where a subdivision of land is set out on the plat, all streets and lots shall be accurately plotted with dimension lines indicating widths and all other information pertinent to reestablishing all lines in the field. This shall include bearings and distances sufficient to form a continuous closure of the entire perimeter.
- (6) Where control corners have been established in compliance with G.S. 39-32.1, 39-32.2, 39-32.3, and 39-32.4, as amended, the location and pertinent information as required in the reference statute shall be plotted on the plat. All other corners, which are marked by monument or natural object, shall be so identified on all plats, and where practical all corners of adjacent owners along the boundary lines of the subject tract, which are marked by monument or natural object, shall be shown.
- (7) The names of adjacent landowners, or lot, block, parcel, subdivision designations or other legal reference where applicable, shall be shown where the surveyor could determine them.
- (8) All visible and apparent rights-of-way, watercourses, utilities, roadways, and other such improvements shall be accurately located where crossing or forming any boundary line of the property shown.
- (9) Where the plat is the result of a survey, one or more corners shall, by a system of azimuths or courses and distances, be accurately tied to and coordinated with a horizontal control monument of some United States or State Agency survey system, such as the North Carolina Geodetic Survey where the monument is within 2,000 feet of the subject property. Where the North Carolina Grid System coordinates of the monument are on file in the North Carolina Office of State Budget and Management, the coordinates of both the referenced corner and the monuments used shall be shown in X (easting) and Y (northing) coordinates on the plat. The coordinates shall be identified as based on "NAD83," indicating North American Datum of 1983, or as "NAD 27," indicating North American Datum of 1927. The tie lines to the monuments shall also be sufficient to establish true north or grid north bearings for the plat if the monuments exist in pairs. Within a previously recorded subdivision that has been tied to grid control, control monuments within the subdivision may be used in lieu of additional ties to grid control. Within a previously recorded subdivision that has not been tied to grid control, if horizontal control

monuments are available within 2,000 feet, the above requirements shall be met; but in the interest of bearing consistency with previously recorded plats, existing bearing control should be used where practical. In the absence of Grid Control, other appropriate natural monuments or landmarks shall be used. In all cases, the tie lines shall be sufficient to accurately reproduce the subject lands from the control or reference points used.

(10) A vicinity map (location map) shall appear on the plat.

Section 205 APPROVAL OF PUBLIC SERVICES: No building permits shall be issued, nor shall water, sewer, or other county facilities or services be extended to or connected with any subdivision for which a plat is required to be approved unless and until such plat has been approved by the Planning Board or its agent and recorded in the Warren County Register of Deeds Office.

ARTICLE III **LEGAL PROVISIONS**

Section 301 PROCEDURE FOR PLAT APPROVAL: After the effective date of this ordinance, no major subdivision plat of land within Warren County's jurisdiction shall be filed or recorded until it has been submitted to and approved by the Planning Board and until this approval is entered in writing on the face of the plat by the Chair or Vice Chair of the Planning Board. The Register of Deeds shall not file or record a plat of a subdivision of land or any exempt plat for land located within the territorial jurisdiction of Warren County that has not been approved in accordance with the provisions of the Subdivision 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 section.

Section 302 STATEMENT BY OWNER: The owners of land shown on a subdivision plat submitted for recording or his authorized agent shall sign a statement on the plat stating that all land shown thereon is within the subdivision regulation jurisdiction of Warren County.

Section 303 EFFECT OF PLAT APPROVAL ON DEDICATION: Pursuant to General Statute 153A, the approval of a plat does not constitute or effect the acceptance by the County or the public of 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.

Section 304 PENALTIES FOR VIOLATIONS: After the effective date of this ordinance, any persons who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this ordinance, thereafter subdivides his land in violation of this ordinance or transfers or sells land by reference to, exhibition of, or any other use of plat showing subdivision of the land before the plat has been properly approved under the terms of this ordinance and recorded in the office of Warren County Register of Deeds, shall be guilty of a misdemeanor. The descriptions by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring land shall not exempt the transaction from this penalty. The County of Warren, through its attorney or other official designated by the County Commissioners, may enjoin illegal subdivisions, transfer or sale of land by action for injunction. Further, violators of this ordinance shall be subject upon conviction, to fine and/or imprisonment as provided by General Statutes 14.4.

Section 305 SEPARABILITY: Should any section or provision of this ordinance be decided by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be Unconstitutional or invalid.

Section 306 VARIANCE: The Warren County Planning Board may authorize a variance from these regulations for major and minor plats when, in its opinion, undue hardship may result from strict compliance. Application forms may be obtained from the Warren County Planning Department. In granting any variance, the Board shall make the findings required below, taking into account the nature of

the proposed subdivision, the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. The applicant can appeal the decision of the Planning Board to the Board of Commissioners in an un-zoned area. No variance shall be granted unless the Board finds all the following:

- A. That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his land,
- B. That the variance is necessary for the property owner to assume reasonable use of the land.
- C. That the circumstances giving the rise to the need for the variance are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this ordinance;
- D. Special consideration may be granted by the Planning Board in situations involving a voluntary or court ordered partition of land made for the purpose of dividing the estate of a decedent among his heirs, whether the decedent died testate or intestate.

Section 307 AMENDMENTS: The Warren County Board of Commissioners may periodically amend the terms of this ordinance, but no amendment shall become effective unless it has been proposed by or has been submitted to the Planning Board for review and recommendation. The Planning Board shall have forty-five (45) 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, the amendment shall be deemed approved. The governing body shall adopt no amendment until they have held a public hearing on the amendment. Notice of the hearing shall be published in a newspaper of general circulation in Warren County at least once a week for two (2) successive calendar weeks prior to the hearing. The initial notice shall be published the first time not less than ten (10) days or more than twenty-five (25) days before the date fixed for the hearing. In computing such period, the day of publication is not to be included, but the day of the hearing shall be included.

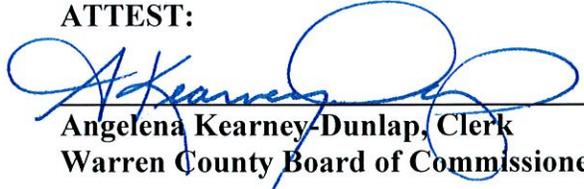
Section 308 ABROGATION: This section does not apply to any current municipal zoning requirements. It is not intended that this ordinance repeal, abrogate, annul, impair or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations or permits previously adopted or issued pursuant to law. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall govern.

Section 309 EFFECTIVE DATE: This ordinance amended by the County Commissioners of Warren County, North Carolina, on March 12, 2012 shall take effect and be in force from and after March 12, 2012 (this revised March 12, 2012 Subdivision Ordinance shall supersede and replace all prior Subdivision Ordinances).

Signed: 
Ulysses S. Ross, Chairman
Warren County Board of Commissioners

Revised and Amended: March 12, 2012

ATTEST:


Angelena Kearney-Dunlap, Clerk
Warren County Board of Commissioners



ARTICLE IV

PROCEDURE FOR REVIEW AND APPROVAL OF SUBDIVISION PLATS

Section 401 PLATS SHALL BE REQUIRED ON ANY SUBDIVISION OF LAND: Pursuant to General Statute 153A-330, all final plats shall be prepared, approved, and recorded pursuant to the provisions of this ordinance whenever any subdivision of land takes place in Warren County. Plats shall bear the Review Officer and Planning Board Representative or its authorized representative's signature prior to recordation in the Register of Deeds office.

Section 402 APPROVAL PREREQUISITE TO PLAT RECORDATION: Pursuant to General Statute 153-332, no final plat of a subdivision of land located within the jurisdiction of Warren County, as established in Article II of this ordinance, shall be recorded by the Register of Deeds of Warren County until it has been approved by the Warren County Planning Board or its authorized representative as provided herein. To secure such approval of a final plat the subdivider shall follow the procedures established in this article, including review fees established and approved by the Warren County Board of Commissioners.

Section 403 PROCEDURES FOR THE REVIEW OF MINOR SUBDIVISIONS (Technical Review Committee approval process): In an effort to simplify and condense the review for small subdivisions of land within Warren County, which will have little, or no impact on the county development process, minor subdivisions of land shall comply with the following procedures and only require that a final plat submitted for approval.

Section 403.1 MINOR SUBDIVISIONS (Amendment approved by Warren County Board of Commissioners March 1, 2010): To qualify as a minor subdivision, for review and approval by the Planning and Zoning Administrator (or his/her designee) of the Planning/Zoning and Code Enforcement Department, the minor subdivision must meet all of the following:

- A. No new public or private streets, roads, or right-of-ways shall be created;
- B. No extension of water and sewer will be required;
- C. No more than nine (9) lots (the 10th lot triggers Type III Roads) be established;
- D. No environmental issues exist that would require additional Warren County or State of North Carolina review and approval;
- E. For the expansion of pre-existing private streets, roads, right-of-ways or access easement (as noted under "A" of this section) to the 50' minimum requirement for new lots per this Ordinance, the Planning and Zoning Administrator (or his/her designee) as indicated in this section shall have the authority to review and approve the proposed minor subdivision in keeping with the provisions of this Ordinance.
- F. When a proposed minor subdivision does not meet the provisions of this section and Ordinance, it shall be submitted by the Planning and Zoning Administrator (or his/her designee) to the Warren County Planning Board for review and consideration of approval.

Section 403.2: The subdivider or agent shall discuss any proposed minor subdivision with staff of the Warren County Planning and Zoning Section to insure that the proposed subdivision qualifies as a minor subdivision and that the requirements and procedures necessary to gain approval of the subdivision are clear.

Section 403.3: The final plat for a minor subdivision shall be prepared by a professional land surveyor licensed to practice in North Carolina and suitable for recording in the Register of Deeds Office and in conformance with General Statutes 47-30.

Section 403.4: The subdivider shall submit three (3) copies and one (1) final mylar plat suitable for reproduction to the Warren County Planning Staff for Technical Review Committee Review. Staff shall transmit copies of the proposed plat to the Technical Review Committee (TRC) for their review and input.

Section 403.5 The Final Plat for a Minor Subdivision shall bear the following applicable content prior to submittal for review and approval:

1. Tax Map Number
2. Name of Subdivision or Subdivider & contact information (address & phone number)
3. Graphic Scale
4. Plat Preparation Date and revision
5. Deed Reference for the tract being subdivided
6. Name(s) of adjacent subdivisions and property owners
7. Name of professional land surveyor, certified engineer or certified architect, with address and phone number of each
8. Existing structures
9. Map minimum size: 18" x 24"
10. Zoning Classification – when applicable
11. Minimum building setback lines or typical building envelop in margin
12. Lot lines and lot numbers
13. Township
14. Floodplain Statement (zone, panel number, effective date, type of flood hazard – 1% or .2%)
15. Computer generated Exempt statement
16. Label the type of plat – Utility easement, recombination, cemetery
17. Accurately positioned north arrow coordinated with any bearings shown on the plat. Indication shall be made as to whether the north index is true, magnetic, North Carolina grid ("NAD 83" or "NAD 27"), or is referenced to old deed or plat bearings. If the north index is magnetic or referenced to old deed or plat bearings, the date and the source (if known) the index was originally determined shall be clearly indicated.
18. The azimuth or course and distance of every property line surveyed shall be shown. Distances shall be in feet.
19. All plat distances shall be by horizontal or grid measurements. All lines shown on the plat shall be correctly plotted to the scale shown. Enlargement of portions of a plat are acceptable in the interest of clarity, where shown as inserts. Where the North Carolina grid system is used, the grid factor shall be shown on the face of the plat. If grid distances are used, it must be shown on the plat.
20. Where a curved line forms a boundary, the following data must be given: actual survey data from the point of curvature to the point of tangency shall be shown as standard curve data, or as a traverse of bearings and distances around the curve. If standard curve data is used the bearing and distance of the long chord (from point of curvature to point of tangency) must be shown on the plat.
21. All streets shall be labeled (name and number) and lots shall be accurately plotted with dimension lines indicating widths and all other information pertinent to reestablishing all lines in the field.
22. Proposed deed restrictions or similar covenants
23. Where control corners have been established in compliance with G.S. 39-32.1, 39-32.2, 39-32.3, and 39-32.4, as amended, the location and pertinent information as required in the reference statute shall be plotted on the plat. All other corners, which are marked by monument or natural object, shall be so identified on all plats, and where practical all corners of adjacent owners along the boundary lines of the subject tract, which are marked by monument or natural object, shall be shown.
24. The names of adjacent landowners, lot, block, parcel, subdivision designations

25. All visible and apparent rights-of-way, watercourses – ponds, lakes and shall be labeled as such, utility power lines shall be labeled (power company name), roadways, and other such improvements shall be accurately located where crossing or forming any boundary line of the property shown.
26. Any lot(s) within an area of special flood hazard shall have the appropriate elevation certificates attached to the plat – using the newest FEMA version of the Elevation Certificate or associated documents (LOMA, LODR, LOMR...), the zone and the elevation on the plat
27. One or more corners shall, by a system of azimuths or courses and distances, be accurately tied to and coordinated with a horizontal control monument of some United States or State Agency survey system, such as the North Carolina Geodetic Survey where the monument is within 2,000 feet of the subject property. Where the North Carolina Grid System coordinates of the monument are on file in the North Carolina Office of State Budget and Management, the coordinates of both the referenced corner and the monuments used shall be shown in X (easting) and Y (northing) coordinates on the plat. The coordinates shall be identified as based on "NAD 83," indicating North American Datum of 1983, or as "NAD 27," indicating North American Datum of 1927 or the most recent datum. The tie lines to the monuments shall also be sufficient to establish true north or grid north bearings for the plat if the monuments exist in pairs. Within a previously recorded subdivision that has been tied to grid control, control monuments within the subdivision may be used in lieu of additional ties to grid control. Within a previously recorded subdivision that has not been tied to grid control, if horizontal control monuments are available within 2,000 feet, the above requirements shall be met; but in the interest of bearing consistency with previously recorded plats, existing bearing control should be used where practical. In the absence of Grid Control, other appropriate natural monuments or landmarks shall be used. In all cases, the tie lines shall be sufficient to accurately reproduce the subject lands from the control or reference points used
28. A vicinity map (location map) shall appear on the plat
29. Any lot determined to be within an area of special flood hazard should have a statement regarding the Panel number, location of the SFHA, a completed elevation certificate or associated documents (LOMA, LODR, LOMR...), the zone and the elevation on the plat
30. Any street proposed to intersect with a state maintained road (SR), shall have an attached approved driveway permit from the North Carolina Department of Transportation
31. Remaining total acreage

CERTIFICATION OF OWNERSHIP AND DEDICATION

I, (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon, which is located in the subdivision jurisdiction of Warren County and that I (we) hereby adopt this plan of subdivision with my (our) free consent, established minimum building setback lines, and dedicate all streets, alleys, walks, parks and other sites and easements to public or private use as noted.

 Date/Owner(s)

CERTIFICATION BY THE REVIEW OFFICER

**State of North Carolina
 County of Warren**

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

 Review Officer/Date

CERTIFICATE OF SURVEY AND ACCURACY

I _____, a professional land surveyor, certify that this plat was (1) drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book ____, Page ____, etc.) (Other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book ____, Page ____; (2) that the ratio of precision as calculated is 1: ____; (3) that this plat was prepared in accordance with G.S.47-30 as amended. Witness my original signature, registration number and seal this ____ day of _____, 20__.

(Seal or Stamp) _____
Surveyor Registration No.

DEDICATION OF WATER SUPPLY AND SEWAGE DISPOSAL

The _____ subdivision will be served by the following: (Check 2 of 4); Central Water System ____; Central Sewer System ____; Individual Water Well ____; and/or Individual Septic Tanks _____. These improvements are proposed to be installed ____; these improvements are installed _____.

Date/Owner/Developer

CERTIFICATION OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Warren County, with all variances noted in the minutes of the Warren County Planning Board, and that this map has been approved for recording in the Office of the Register of Deeds.

Date/Warren County Planning Board Representative

Section 403.6: Within forty-five (45) days of submission, the final plat shall be reviewed by the Technical Review Committee. The Planning Board may, upon recommendation of the Technical Review Board, contact the NC State Board of Registration for Professional Engineers and Land Surveyors for any suspected non-compliance.

Section 403.7 Minor Plat Approval: If the final plat is in compliance with the ordinance, the staff of the Warren County Planning and Code Enforcement Department shall approve the final plat. Approval of the final plat is authorization for the plat to be filed with the Register of Deeds.

- A. Approval of the final plat allows improvement permits to be issued.
- B. This approval shall be noted on the original and two (2) copies of the final plat, one (1) paper copy shall be retained for the permanent file of the Planning Board, and one (1) mylar copy and one (1) paper copy transmitted to the Warren County Register of Deeds for certification.
- C. No final plat shall be approved until it meets the requirements set forth, all required fees have been paid, and certificates required by this ordinance to appear on the final plat have been properly filled out, dated and signed.
- D. If the final minor subdivision plat is not in compliance with these regulations is disapproved by the staff of the Warren County Planning and Code Enforcement Department, the reasons for disapproval and conditions to be met before the Technical Review Committee will approve the plat, shall be noted on two (2) copies of the proposed final plat. One (1) copy shall be returned to the subdivider and one (1) copy shall be retained by the Planning Department.
- E. The owner/subdivider shall have sixty days to record the final plat from the date of approval; if not said plat shall then become void.

Section 403.8: The approval of a final plat pursuant to regulations adopted under this Article shall not be deemed to constitute or affect the acceptance by the county or the public of dedication of any street or other ground, public utility line, or other public facility shown on the plat, for the purpose of maintenance.

Section 404 MAJOR SUBDIVISION PROCEDURES

Section 404.1 SKETCH DESIGN PLAN: Prior to submitting a preliminary plat, the subdivider is encouraged to prepare and submit to the Planning Board a sketch design plat of the proposed subdivision at a regular meeting of the Warren County Planning Board. At this meeting, the subdivider should explain his/her plat, answer questions about it and advise the Planning Board of any variations from these subdivision regulations. This procedure does not require application or fee.

Section 404.2 NUMBER OF COPIES AND GRAPHIC MEDIA: A minimum of nine (9) copies of a sketch design plat shall be submitted. No specific graphic media must be employed.

Section 404.3 SIZE OF PLAN AND SCALE: No specific size of scale requirement applies to sketch design plans; it is suggested that the requirements applicable to preliminary and final plats be utilized.

Section 404.4 ADMINISTRATIVE FEE: No administrative fees are charged in connection with the submission of sketch design plans.

Section 404.5 CERTIFICATION REQUIRED: Certificates are not required in connection with the submission of sketch design plans.

Section 404.6 CONTENTS REQUIRED: The sketch design plan shall depict or contain the following information:

1. Tax Map Number
2. Name of Subdivision or Subdivider & contact information (address & phone number)
3. Graphic Scale
4. Plat Preparation Date
5. Deed Reference for the tract being subdivided
6. Name(s) of adjacent subdivisions and property owners
7. Name of professional land surveyor, certified engineer or certified architect, with address and phone number of each
8. Existing structures
9. Map minimum size 18" x 24"
10. Zoning Classification – when applicable
11. Minimum building setback lines or typical building envelop in margin
12. Lot lines and lot numbers
13. Township
14. Floodplain Statement (zone, panel number, effective date, type of flood hazard – 1% or .2%)
15. Computer generated Exempt statement
16. Label the type of plat – Utility easement, recombination, cemetery
17. Accurately positioned north arrow coordinated with any bearings shown on the plat. Indication shall be made as to whether the north index is true, magnetic, North Carolina grid ("NAD 83" or "NAD 27"), or is referenced to old deed or plat bearings. If the north index is magnetic or referenced to old deed or plat bearings, the date and the source (if known) the index was originally determined shall be clearly indicated.
18. The azimuth or course and distance of every property line surveyed shall be shown. Distances shall be in feet.
19. All plat distances shall be by horizontal or grid measurements. All lines shown on the plat shall be correctly plotted to the scale shown. Enlargement of portions of a plat are acceptable in the interest of clarity, where shown as inserts. Where the North Carolina grid system is used, the grid factor shall be shown on the face of the plat. If grid distances are used, it must be shown on the plat.

20. Where a boundary is formed by a curved line, the following data must be given: actual survey data from the point of curvature to the point of tangency shall be shown as standard curve data, or as a traverse of bearings and distances around the curve. If standard curve data is used the bearing and distance of the long chord (from point of curvature to point of tangency) must be shown on the plat.
21. All streets shall be labeled (name and number) and lots shall be accurately plotted with dimension lines indicating widths and all other information pertinent to reestablishing all lines in the field.
22. Proposed deed restriction or similar covenants.
23. Where control corners have been established in compliance with G.S. 39-32.1, 39-32.2, 39-32.3, and 39-32.4, as amended, the location and pertinent information as required in the reference statute shall be plotted on the plat. All other corners, which are marked by monument or natural object, shall be so identified on all plats, and where practical all corners of adjacent owners along the boundary lines of the subject tract, which are marked by monument or natural object, shall be shown.
24. The names of adjacent landowners, lot, block parcel, subdivision designations.
25. All visible and apparent rights-of-way, watercourses – ponds, lakes and shall be labeled as such, utility power lines shall be labeled (power company name), roadways, and other such improvements shall be accurately located where crossing or forming any boundary line of the property shown.
26. One or more corners shall, by a system of azimuths or courses and distances, be accurately tied to and coordinated with a horizontal control monument of some United States or State Agency survey system, such as the North Carolina Geodetic Survey where the monument is within 2,000 feet of the subject property. Where the North Carolina Grid System coordinates of the monument are on file in the North Carolina Office of State Budget and Management, the coordinates of both the referenced corner and the monuments used shall be shown in X (easting) and Y (northing) coordinates on the plat. The coordinates shall be identified as based on "NAD 83," indicating North American Datum of 1983, or as "NAD 27," indicating North American Datum of 1927 or the most recent datum. The tie lines to the monuments shall also be sufficient to establish true north or grid north bearings for the plat if the monuments exist in pairs. Within a previously recorded subdivision that has been tied to grid control, control monuments within the subdivision may be used in lieu of additional ties to grid control. Within a previously recorded subdivision that has not been tied to grid control, if horizontal control monuments are available within 2,000 feet, the above requirements shall be met; but in the interest of bearing consistency with previously recorded plats, existing bearing control should be used where practical. In the absence of Grid Control, other appropriate natural monuments or landmarks shall be used. In all cases, the tie lines shall be sufficient to accurately reproduce the subject lands from the control or reference points used.
27. A vicinity map (location map) shall appear on the plat.
28. Any lot(s) within an area of special flood hazard shall have the appropriate elevation certificates attached to the plat – using the newest FEMA version of the Elevation Certificate or associated documents (LOMA, LODR, LOMR...), the zone and the elevation on the plat.
29. Any street proposed to intersect with a state maintained road (SR), shall be have an attached approved driveway permit from the North Carolina Department of Transportation.

Section 404.7 REVIEW PROCEDURE: The Planning Board shall review the sketch design plat for general compliance with the requirements of this ordinance and the zoning ordinance; the Planning Board shall advise the subdivider or his authorized agent of the regulations pertaining to be followed in the 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 County Commissioners as required by this ordinance.

Section 405 PRELIMINARY PLAT: The subdivider's duly authorized agent shall submit nine (9) copies of the preliminary plat and any supplementary materials to the Planning Board at least eleven (11) days prior to a regular meeting of the Board every subdivision of land which is located within the territorial jurisdiction established by Article 1, Section 104. A current Plat Receipt/Meeting Schedule is available at the Warren County Planning Department.

Section 405.1 NUMBER OF COPIES AND GRAPHIC MEDIA: At least nine (9) copies of the preliminary plat shall be submitted; no specific graphic media must be employed. These nine (9) copies shall be disposed as provided in Section 405.7. The Planning Board may require the subdivider to provide additional copies.

Section 405.2 SIZE OF PLAT AND SCALE: No specific dimensional requirements apply to preliminary plats. The preliminary plat shall be prepared at a scale of one (1) inch equals one hundred (100) feet or greater.

Section 405.3 ADMINISTRATIVE FEES: The administrative fees shall be charged in connection with the submission of preliminary plats.

Section 405.4 CERTIFICATIONS REQUIRED: Certifications are not required with the submission of preliminary plats.

Section 405.5 CONTENTS REQUIRED: The preliminary plat shall be so marked and shall depict or contain the following information; plats not illustrating or containing the following data shall be returned to the subdivider, or his authorized agent for completion and resubmission:

1. Tax Map number
2. Name of Subdivision or Subdivider & contact information (address & phone number)
3. Graphic Scale
4. Plat Preparation Date
5. Deed Reference for the tract being subdivided
6. Name(s) of adjacent subdivisions and property owners
7. Name of professional land surveyor, certified engineer or certified architect, with address and phone number of each
8. Existing structures
9. Map minimum size: 18" x 24"
10. Zoning Classification – when applicable
11. Minimum building setback lines on each lot
12. Lot lines and lot numbers
13. Townships
14. Floodplain Statement (zone, panel number, effective date, type of flood hazard –1% or .2%)
15. Computer generated Exempt statement
16. Label the type of plat – Utility easement, recombination, cemetery
17. Accurately positioned north arrow coordinated with any bearings shown on the plat. Indication shall be made as to whether the north index is true, magnetic, North Carolina grid ("NAD 83" or "NAD 27"), or is referenced to old deed or plat bearings. If the north index is magnetic or referenced to old deed or plat bearings, the date and the source (if known) the index was originally determined shall be clearly indicated.
18. The azimuth or course and distance of every property line surveyed shall be shown. Distances shall be in feet.
19. All plat distances shall be by horizontal or grid measurements. All lines shown on the plat shall be correctly plotted to the scale shown. Enlargement of portions of a plat are acceptable in the interest of clarity, where shown as inserts. Where the North Carolina grid system is used, the grid factor shall be shown on the face of the plat. If grid distances are used, it must be shown on the plat.
20. Where a boundary is formed by a curved line, the following data must be given: actual survey data from the point of curvature to the point of tangency shall be shown as standard curve data, or as a traverse of bearings and distances around the curve. If standard curve data is used the bearing

and distance of the long chord (from point of curvature to point of tangency) must be shown on the plat.

21. All streets shall be labeled (name and number) and lots shall be accurately plotted with dimension lines indicating widths and all other information pertinent to reestablishing all lines in the field.
22. Proposed deed restrictions or similar covenants.
23. Where control corners have been established in compliance with G.S. 39-32.1, 39-32.2, 39-32.3, and 39-32.4, as amended, the location and pertinent information as required in the reference statute shall be plotted on the plat. All other corners, which are marked by monument or natural object, shall be so identified on all plats, and where practical all corners of adjacent owners along the boundary lines of the subject tract, which are marked by monument or natural object, shall be shown.
24. The names of adjacent landowners, lot, block, parcel, subdivision designations
25. All visible and apparent rights-of-way, watercourses – ponds, lakes and shall be labeled as such, utility power lines shall be labeled (power company name), roadways, and other such improvements shall be accurately located where crossing or forming any boundary line of the property shown
26. One or more corners shall, by a system of azimuths or courses and distances, be accurately tied to and coordinated with a horizontal control monument of some United States or State Agency survey system, such as the North Carolina Geodetic Survey where the monument is within 2,000 feet of the subject property. Where the North Carolina Grid System coordinates of the monument are on file in the North Carolina Office of State Budget and Management, the coordinates of both the referenced corner and the monuments used shall be shown in X (easting) and Y (northing) coordinates on the plat. The coordinates shall be identified as based on "NAD 83," indicating North American Datum of 1983, or as "NAD 27," indicating North American Datum of 1927 or the most recent datum. The tie lines to the monuments shall also be sufficient to establish true north or grid north bearings for the plat if the monuments exist in pairs. Within a previously recorded subdivision that has been tied to grid control, control monuments within the subdivision may be used in lieu of additional ties to grid control. Within a previously recorded subdivision that has not been tied to grid control, if horizontal control monuments are available within 2,000 feet, the above requirements shall be met; but in the interest of bearing consistency with previously recorded plats, existing bearing control should be used where practical. In the absence of Grid Control, other appropriate natural monuments or landmarks shall be used. In all cases, the tie lines shall be sufficient to accurately reproduce the subject lands from the control or reference points used.
27. A vicinity map (location map) shall appear on the plat
28. Any lot determined to be within an area of special flood hazard should have a statement regarding the Panel number, location of the SFHA, a completed elevation certificate or associated documents (LOMA, LODR, LOMR...), the zone and the elevation on the plat.
29. Any street proposed to intersect with a state maintained road (SR), shall be have an attached approved driveway permit from the North Carolina Department of Transportation.
30. The zoning classifications of the tract to be subdivided and on adjoining properties;
31. Proposed location and size of parks, school sites, or other recreational or open spaces, if any, and their future ownership.
32. Any proposed green space, walking or riding trails, natural buffers, pedestrian, bicycle or other right-of-way utility or easements, their location, width, and purposes
33. Proposed streets, existing and platted streets on adjoining properties and in the propose subdivision, rights-of-way, pavement widths, approximate grades, design engineering data for all corners and curves, and typical street cross sections. If any street is proposed to intersect with a state maintained road, the plat shall be accompanied by an application for driveway approval as required by the Department of Transportation, Division of Highway's Manual on Driveway Regulations.
34. Existing and proposed lines, both on the tract to be subdivided and on adjoining properties, building or other structures, water courses, railroads, bridges, culverts, storm drains, both the land

to be subdivided and on the immediately adjoining corporate limits, township boundaries, county lines.

35. Any lot(s) within an area of special flood hazard shall have the appropriate elevation certificates attached to the plat – using the newest FEMA version of the Elevation Certificate.
36. The preliminary plat shall be accompanied by a copy of any proposed deed restrictions or similar covenants (mandatory when private recreation areas are established).
37. Date of plat preparation
38. The name(s) of the township(s), county, and state in which the subdivision is located
39. The name(s), addressee(s) and telephone number(s) of the owner(s), registered land surveyor(s), land - planner(s), architect(s), landscape architect(s), and professional engineer(s) responsible for the subdivision
40. Topographic map showing vertical contours every ten (10) feet.

Section 405.6 REVIEW PROCEDURE: The Planning Board shall review and take action on each preliminary plat within forty-five (45) days after first consideration by the Planning Board. First consideration may be at the next regularly scheduled meeting of the Planning Board that follows at least fourteen days after the plat is submitted. Before taking final action of the plat, the Planning Board may refer copies of the plat and any accompanying material to those public officials and agencies concerned with the new development, including but not limited to, County Manager, County Environmental Health, County School Board, the District Engineer of the NC Department of Transportation (four copies), and the appropriate county soil conservation service office, for review and recommendation.

Section 405.7 DISPOSITION OF COPIES: If the preliminary plat is approved, the Planning Board Representative shall note approval on at least two (2) copies of the plat. One copy shall be returned to the subdivider and the Planning Board shall retain one copy. If the preliminary plat is disapproved, the Planning Board shall specify the reasons for such action. The Planning Board shall retain one copy and one copy shall be given to the subdivider. If the preliminary plat is disapproved, the subdivider may make the recommended changes and submit a revised preliminary plat, so marked or appeal the decision to the Board of Adjustment. When a subdivision is to be developed in stages, the preliminary plat shall be submitted for each stage. The first final plat shall be submitted within twelve (12) months after approval of the preliminary plat, otherwise, the plat shall become null and void. The developer may apply for an extension of time. The Planning Board may grant this extension by majority vote of the members.

Section 406 FINAL PLAT: The final plat shall constitute only that portion of the preliminary plat, which the subdivider proposed to record and develop at that time; such portion shall conform to all requirements of this ordinance.

Section 406.1 PLAT SUBMITTED: The subdivider shall submit the final plat, so marked to the Warren County Planning Department not less than eleven (11) days prior to the Planning Board meeting at which it will be considered for approval; further, the plat shall be submitted not more than twelve (12) months after the date on which the preliminary plat was approved, otherwise such approval shall be null and void unless a written extension of this time limit is granted by the Planning Board on or before the one year anniversary of approval.

Section 406.2 PLAT PREPARED: A professional land surveyor shall prepare the final plat. The final plat shall substantially conform to the preliminary plat as it was approved. The final plat shall conform to the provisions of plats, subdivision, and mapping requirements as set forth in General Statute, 47-30 as amended.

Section 406.3 NUMBER OF COPIES: Ten (10) copies shall be submitted; one of these shall be drawn in ink on film suitable for reproduction, nine copies (9) shall be black or blue line paper prints.

Section 406.4 SIZE OF PLAT AND SCALE: Final plats shall be prepared in accordance with G.S. 47-30 and suitable for recording in the Register of Deed's Office (please refer to the G.S. 47-30 Checklist).

Section 406.5 CERTIFICATION REQUIRED: The following signed certificates shall appear on all copies of the final that are submitted to the Planning Board by the subdivider.

Section 406.6 CERTIFICATES OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon, which is located in the subdivision jurisdiction of Warren County and that I (we) hereby adopt this plan of subdivision with my (our) free consent, established minimum building setback lines, and dedicate all streets, alleys, walks, parks and other sites and easements to public or private use as noted.

Date/Owner(s)

CERTIFICATION BY THE REVIEW OFFICER

State of North Carolina
County of Warren

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

Review Officer/Date

CERTIFICATE OF SURVEY AND ACCURACY

I _____, a professional land surveyor, certify that this plat was (1) drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book Page ____, etc.) (Other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book Page (2) that the ratio of precision as calculated is 1: __; (3) that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this ____ day of _____, 20 ____.

(Seal or Stamp)

Surveyor Registration No.

CERTIFICATION OF APPROVAL OF DESIGN & INSTALLATION OF UTILITIES AND OTHER REQUIRED IMPROVEMENTS

I certify that all utilities and other required improvements have been installed in an acceptable manner and according to Warren County specifications and standards in the _____ Subdivision.

Date/Owner/Registered Professional Engineer

DEDICATION OF WATER SUPPLY AND SEWAGE DISPOSAL

"The _____ Subdivision will be served by the following: (Check 2 of 4); Central Water System ____; Central Sewer System ____; individual Water Wells ____; and/or Individual Septic Tanks _____. These improvements are proposed to be installed _____; these improvements are installed _____."

Date/Owner/Developer

CERTIFICATION OF APPROVAL FOR RECORDING

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of Warren County, with all variances noted in the minutes of the Warren County Planning Board, and that this map has been approved for recording in the Office of the Register of Deeds.

Date/Warren County Planning Board Representative

Section 406.7: A certificate of approval issued by the district engineer of the Division of Highways of the NC Department of Transportation for any new street designated as public on the plat or map.

Section 406.8 CONTENTS REQUIRED: The final plat shall depict or contain the following information; plats not illustrating on containing the following data shall be returned to the subdivider or his authorized agent for completion and resubmission.

1. Tax Map number
2. Name of Subdivision or Subdivider & contact information (address & phone number)
3. Graphic Scale
4. Plat Preparation Date
5. Deed Reference for the tract being subdivided
6. Name(s) of adjacent subdivisions and property owners
7. Name of professional land surveyor, certified engineer or certified architect, with address and phone number of each
8. Existing structures
9. Map minimum size: 18" x 24"
10. Zoning Classification – when applicable
11. Minimum building setback lines on each lot
12. Lot lines and lot numbers
13. Township
14. Floodplain Statement (zone, panel number, effective date, type of flood hazard –1% or .2%)
15. Computer generated Exempt statement
16. Label the type of plat – Utility easement, recombination, cemetery
17. Accurately positioned north arrow coordinated with any bearings shown on the plat. Indication shall be made as to whether the north index is true, magnetic, North Carolina grid ("NAD 83" or "NAD 27"), or is referenced to old deed or plat bearings. If the north index is magnetic or referenced to old deed or plat bearings, the date and the source (if known) the index was originally determined shall be clearly indicated.
18. The azimuth or course and distance of every property line surveyed shall be shown. Distances shall be in feet.
19. All plat distances shall be by horizontal or grid measurements. All lines shown on the plat shall be correctly plotted to the scale shown. Enlargement of portions of a plat are acceptable in the interest of clarity, where shown as inserts. Where the North Carolina grid system is used, the grid factor shall be shown on the face of the plat (grid distances, if used, must be shown on the plat).
20. Where a boundary is formed by a curved line, the following data must be given: actual survey data from the point of curvature to the point of tangency shall be shown as standard curve data, or as a traverse of bearings and distances around the curve. If standard curve data is used the bearing and distance of the long chord (from point of curvature to point of tangency) must be shown on the plat.
21. All streets shall be labeled (name and number) and lots shall be accurately plotted with dimension lines indicating widths and all other information pertinent to reestablishing all lines in the field.
22. Proposed deed restrictions or similar covenants.
23. Where control corners have been established in compliance with G.S. 39-32.1, 39-32.2, 39-32.3, and 39-32.4, as amended, the location and pertinent information as required in the reference statute shall be plotted on the plat. All other corners, which are marked by monument or natural object, shall be so identified on all plats, and where practical all corners of adjacent owners along the boundary lines of the subject tract, which are marked by monument or natural object, shall be shown.
24. The names of adjacent landowners, lot, block, parcel, subdivision designations.
25. All visible and apparent rights-of-way, watercourses – ponds, lakes and shall be labeled as such, utility power lines shall be labeled (power company name), roadways, and other such improvements shall be accurately located where crossing or forming any boundary line of the property shown.

26. One or more corners shall, by a system of azimuths or courses and distances, be accurately tied to and coordinated with a horizontal control monument of some United States or State Agency survey system, such as the North Carolina Geodetic Survey where the monument is within 2,000 feet of the subject property. Where the North Carolina Grid System coordinates of the monument are on file in the North Carolina Office of State Budget and Management, the coordinates of both the referenced corner and the monuments used shall be shown in X (easting) and Y (northing) coordinates on the plat. The coordinates shall be identified as based on "NAD 83," indicating North American Datum of 1983, or as "NAD 27," indicating North American Datum of 1927 or the most recent datum. The tie lines to the monuments shall also be sufficient to establish true north or grid north bearings for the plat if the monuments exist in pairs. Within a previously recorded subdivision that has been tied to grid control, control monuments within the subdivision may be used in lieu of additional ties to grid control. Within a previously recorded subdivision that has not been tied to grid control, if horizontal control monuments are available within 2,000 feet, the above requirements shall be met; but in the interest of bearing consistency with previously recorded plats, existing bearing control should be used where practical. In the absence of Grid Control, other appropriate natural monuments or landmarks shall be used. In all cases, the tie lines shall be sufficient to accurately reproduce the subject lands from the control or reference points used.
27. A vicinity map (location map) shall appear on the plat.
28. Any lot determined to be within an area of special flood hazard should have a statement regarding the Panel number, location of the SFHA, a completed elevation certificate or associated documents (LOMA, LODR, LOMR...), the zone and the elevation on the plat.
29. Any street proposed to intersect with a state maintained road (SR), shall be have an attached approved driveway permit from the North Carolina Department of Transportation.
30. The Planning Board shall require the subdivider to provide plans for proposed public utility layouts, including sanitary sewers, storm sewers, water distribution lines, natural gas, telephone and electric service, illustrating connections to existing systems. Plans for water supply and/or sewer disposal must be accompanied by letters of preliminary approval by the appropriate county and state authorities. Plans must show line sizes, the location of fire hydrants, blow-offs, manholes, pumps, force mains, and gate valves, and shall include profiles based upon Mean Sea Level datum for sanitary sewers and storm sewers.
31. The zoning classifications of the tract to be subdivided and on adjoining properties.
32. Proposed location and size of parks, school sites, or other recreational or open spaces, if any, and their future ownership.
33. Site calculations, including: (1) acreage in total tract to be subdivided; (2) acreage in parks and other non-residential use; (3) total number of parcels created and square footage per lot, and (4) linear feet in streets.
34. Any proposed green space, walking or riding trails, natural buffers, pedestrian, bicycle or other right-of-way utility or easements, their location, width, and purposes.
35. Proposed streets, existing and platted streets on adjoining properties and in the propose subdivision, rights-of-way, pavement widths, approximate grades, design engineering data for all corners and curves, and typical street cross sections. If any street is proposed to intersect with a state maintained road, the plat shall be accompanied by an application for driveway approval as required by the Department of Transportation, Division of Highway's Manual on Driveway Regulations.
36. Existing and proposed lines, both on the tract to be subdivided and on adjoining properties, building or other structures, water courses, railroads, bridges, culverts, storm drains, both the land to be subdivided and on the immediately adjoining corporate limits, township boundaries, county lines.
37. Any lot(s) within an area of special flood hazard shall have the appropriate elevation certificates attached to the plat – using the newest FEMA version of the Elevation Certificate.
38. Wooded areas, marshes, swamps, rock outcrops, ponds, or lakes, streams or stream beds and any other natural features affecting the site.

39. The preliminary plat shall be accompanied by a copy of any proposed deed restrictions or similar covenants (mandatory when private recreation areas are established).
40. Date of plat preparation.
41. The name(s) of the township(s), county, and state in which the subdivision is located.
42. The name(s), addressee(s) and telephone number(s) of the owner(s), registered land surveyor(s), land - planner(s), architect(s), landscape architect(s), and professional engineer(s) responsible for the subdivision.
43. The name and location of any property, within the proposed subdivision or within any contiguous property, that is listed on the National Register of Historic Places; likewise property that has been designated by local ordinance as a "Historic Property" pursuant to G.S. Chapter 160A, Article 19, Part 38; likewise any property that has been designated by local ordinance as a "Historic District", pursuant to G.S. Chapter 160A, Article 19, Part 3A.
44. Approval letter from the Department of Environmental and Natural Resources for development in which one (1) or more total acreage of land disturbing activities will take place.
45. Topographic map showing vertical contours every ten (10) feet.

Section 406.9 REVIEW PROCEDURE: Final plats shall be reviewed according to the following procedure: Planning Board Review: Planning Board shall approve or disapprove the final plat within forty-five (45) days of its first consideration. During its review of the final plat, the Planning Board may appoint an engineer or surveyor to confirm the accuracy of the final plat. If substantial errors are found, in the opinion of the Planning Board, the costs shall not be approved until such errors have been corrected.

If the Planning Board approves the final plat, such approval will authorize the subdivider to file the plat with the County Register of Deeds. Such approval by the Planning Board shall be indicated on each copy of the approved plat.

If the Planning Board disapproves the final plat, the Planning Board shall state in writing its reasons for such action, specifying the provisions of this ordinance with which the plat does not comply. One copy of this statement shall be transmitted to the subdivider within twenty (20) days of disapproval; one copy shall be retained by the Planning Board as part of its proceedings.

If the final plat is disapproved, the subdivider may make such changes as will bring the plat into compliance with the provisions of this ordinance and resubmit it for consideration by the Planning Board.

If the Planning Board fails to approve or disapprove the final plat within ninety (90) days after first consideration, as previously defined, such failure shall be deemed approval.

Section 406.10 EFFECT OF PLAN APPROVAL ON DEDICATIONS: The approval of a final plat shall not be deemed to constitute or affect the acceptance by the County of Warren of the dedication of any street or other ground, public utility line, or other public utility line, or other public facility shown on the plat. However, the County of Warren may by resolution of County Commissioners accept any dedication made to the public of lands or facilities for parks, public utility lines, or other public purposes, when the lands or facilities are located within the subdivision regulation jurisdiction.

Section 406.11 DISPOSITION OF COPIES: One reproducible mylar and one blue lined copy shall be filed with the Register of Deeds, and one blue lined copy shall be retained by the Planning staff.

Section 406.12 RECORDING OF THE FINAL PLAT: The subdivider shall file the approved final plat with the Register of Deeds of Warren County for recording within sixty (60) days after the date of the Planning Board's approval; otherwise, such approval shall be void.

Section 406.13 RE-SUBDIVISION PROCEDURES: For any re-platting or re-subdivision of land, the same procedures, rules and regulations shall apply as prescribed herein for an original subdivision. Lot sizes may, however, be varied on an approved plat after recording provided that (a) no lot or tract of land shall be created or sold that is smaller than the size shown on the approved plan; (b) drainage, easements of rights-of-way shall not be changed; (c) street alignment and block sizes shall not be

changed; (d) the property line between the back of the lots shall not be changed; (e) the rear portion of lots shall not be subdivided from the front part; (f) the character of the area shall be maintained.

Section 406.14 A PLAT SHALL BE REQUIRED ON ANY SUBDIVISION OF LAND:

Pursuant to G.S. 153A-332, the Planning Board shall require the subdivider that a plat be prepared approved, and recorded pursuant to the provisions of this ordinance whenever any subdivision of land takes place.

ARTICLE V
IMPROVEMENT GUARANTEES

Section 501 IMPROVEMENT GUARANTEES REQUIRED

Section 501.1 AGREEMENT AND SECURITY REQUIRED: In lieu of requiring the completion, installation and dedication of all improvements prior to final plat approval, the County may enter into an agreement with the subdivider whereby the subdivider shall agree to complete all required improvements. Once all parties sign the said Articles of Agreement 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 County Attorney and Finance Director, either one, or a combination of the following guarantees not exceeding 1.25 times the entire costs as provided herein:

- A. **Surety Performance Bond(s)** - The subdivider shall obtain a performance bond(s) from a business in North Carolina. The bonds shall be payable to Warren County and shall be in an amount equal to 1.25 times the entire costs, as estimated by the subdivider and approved by the Planning Board, of installing all required improvements. The duration of the bond(s) shall be until such time as the improvements are completed or one year.
- B. **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 county or in escrow with a financial institution designated as an official depository of the County. The use of any instrument other than cash shall be subject to the approval of the County Attorney and Finance Officer. The amount of deposit shall be equal to 1.25 times costs, as estimated by the subdivider and approved by the Planning 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 Finance Officer, an agreement between the financial institution and himself guaranteeing the following:
 - 1. That said escrow account shall be held in trust until released by Warren County and may not be used or pledged by the subdivider in any other matter during the term of the escrow; and,
 - 2. That in case of a failure on the part of the developer to complete said improvements, the financial institution shall upon notification by the Planning Board or designee, and submission by the Planning Board to the financial institution of an engineer's estimate of the amount needed to complete the improvements, immediately either pay to the county the funds estimated to complete the improvement, up to the full balance of the escrow account, or deliver to the county any other instruments fully endorsed or otherwise made payable to in full to the county.

Section 502 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 Planning Board, pay all or any portion of the bond or escrow fund to Warren County up to the amount needed to complete the improvements based on engineering estimates or invoices. Upon payment, the Planning Board, in its discretion, may expend such portion of said 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.

Section 503 RELEASE OF GUARANTEE SECURITY: The County of Warren may release a portion or portions of any security posted as the improvements are completed and field verified by staff of the Warren County Planning and Code Enforcement Department.

Section 504 MAINTENANCE AGREEMENT: The developer shall present written evidence satisfactory to the Warren County Planning Board that the developer guarantees all improvements for a period of one year from the date of completion of construction and/or installation. The subdivider shall notify the buyer of the nature, extent, and location of these improvements and shall include such notice as a part of the written sales transaction.

ARTICLE VI

REQUIRED IMPROVEMENTS & MINIMUM STANDARDS OF DESIGN

Section 601 GENERAL: Each subdivision of land shall meet the minimum standards of design and contain the improvements required by this Article. Land may be dedicated and reserved in each subdivision and the required improvements shall be paid by the subdivider or developer.

Section 602 SUITABILITY OF LAND: Land which has been determined by the Planning Board on the basis of engineering or other expert surveys, to pose as ascertainable danger to life or property by reason of its unsuitability for the use proposed, shall not be platted for that purpose, unless and until the subdivider has taken the necessary measures to correct said conditions and to eliminate said danger.

Section 602.1: Areas that have been used for disposal of solid waste shall not be subdivided unless tests by the Warren County Health Department, a structural engineer, and a soil expert, determine that the land is suitable for the purpose proposed.

Section 602.2

- A. All subdivision proposals shall be consistent with the need to minimize flood damage and all lots platted for residential use shall depict areas subject to the one hundred (100) year flood.
- B. Public utilities and facilities, such as gas, electrical, water and sewer systems in all subdivision proposals, shall be located and constructed to minimize flood damage.

Section 603 NAME DUPLICATION: The name of the subdivision shall not duplicate nor closely approximate the name of an existing subdivision within Warren County.

Section 604 SUBDIVISION DESIGN

Section 604.1

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

- B. Blocks shall have sufficient width to allow two (2) tiers of lots of minimum depth except where single tier lots are required to separate residential development from through vehicular traffic or another type of use, in non-residential subdivisions, or where abutting a water area.
- C. Where deemed necessary by the Planning board, a pedestrian crosswalk at least fifteen (15) feet in width may be required to provide convenient public access to a public area such as a park or school, to a water area, or to areas such as shopping center, religious or transportation facilities.
- D. Block numbers shall conform to the County street numbering system, if applicable.

Section 604.2 LOTS

- A. All lots in new subdivisions shall conform to the zoning requirements of the district in which the subdivision is located. Conformance to zoning requirements means, among other things, that the smallest lot in the subdivision must meet all dimensional requirements of the zoning ordinance. It is not sufficient merely for the average lot to meet zoning requirements. All undeveloped existing lots shall have all power and telephone lines buried.
- B. **(Amendment approved by Warren County Board of Commissioners September 6, 2011)**. Only one (1) primary dwelling per lot and only one (1) accessory dwelling per lot where applicable and in compliance the County's Zoning Ordinance for the respective zoning district. The accessory dwelling shall be no larger than 25% or 50% of the size of the primary dwelling:

1. The 25% rule applies to an efficiency apartment within the primary dwelling.
2. The 50% rule is for an accessory dwelling either attached or detached from the main house (guest houses).

RV's, campers and work trailers are not permitted on site for living in while homes are being built and shall not be permitted for use as a dwelling unit as defined in this Ordinance and the Warren County Zoning Ordinance

- C. All lots shall meet the following requirements:
 1. Lots with on-site wells and septic tanks shall have a minimum of thirty thousand (30,000) square feet net of land and be at least one hundred (100) feet wide and two hundred (200) feet deep at the minimum setback line;
 2. Lots with community water and on-site septic tanks shall have a minimum of twenty thousand (20,000) square feet net of land and be at least one hundred (100) feet wide and two hundred (200) feet deep at the minimum setback line;
 3. Lots served by septic tanks and located on a watershed of a Class I or Class II reservoir shall have a minimum of thirty thousand (30,000) square feet net of land and be at least one hundred (100) feet wide at the minimum setback line;
- D. Every lot shall front abut on a dedicated, public street, a private easement, or a private street dedicated to a homeowners association.
- E. Corner lots for residential use shall have an extra width of (10) feet to permit adequate building setback from side streets.
- F. Double frontage lots should be avoided.
- G. Side lot lines shall be substantially at right angles or radial to street lines.
- H. A licensed soil scientist in the State of North Carolina shall map any subdivision that depicts ten lots or more.

- I. In non-zoned areas, the minimum setback for all buildings and appurtenances from the property lines shall be as follows:
 1. From the front property line - 30 ft.
 2. From the side property line - 10 ft.
 3. From the rear property line - 25 ft. (**off shore/non-lake front lots, only**)
 4. From the side property line on corner lots - 30 ft.
 5. From the front property line on major thoroughfares - 40 ft.
- J. Show portion(s) of lot subject to the 1% annual chance flood or one hundred (100) year floodplain, an appropriate statement indicating such location shall appear on the final plat. All lots in any subdivision in Warren County are eligible for flood insurance because Warren County participates in the NFIP.

Section 604.3 EASEMENTS:

- A. Utility and drainage easements shall be provided for utilities where necessary and shall be a minimum thirty (30) feet wide, except where utility easements abut the street right-of-way, the easements shall be a minimum ten (10) feet. Easements should be centered on rear or side lot lines to the maximum practical extent.
- B. Where a subdivision is traversed by a watercourse, drainage-way, drainage tile, channel or stream, there shall be provided a storm-water easement or drainage easement conforming substantially to the lines of such watercourse, and such further width or construction, or body, as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith.
- C. Lake ponds, creeks, and similar areas may be accepted by the County for maintenance only if sufficient land is dedicated as a public recreation area or park or if such area constitutes a necessary part of the drainage control system of such dedicated areas must be approved by Warren County Environmental Health prior to the acceptance by the Warren County Planning Board.
- D. All telephone lines and power lines are recommended to be located at the rear of off shore lots and along the side for water front lots. The Telephone Company and the Power Company shall be provided with copies of the plat by the subdivider and be expected to work with the developer in designing the utility plan for the subdivision.
- E. Private roads or easements shall be a minimum of fifty (50) feet in width, and shall be recorded with the lots.

Section 605 STREETS: All public streets shall be built to the standards of this ordinance and all other applicable standards of the County and the "North Carolina Department of Transportation". Public streets which are eligible for acceptance into the State Highway System shall be constructed to the standards necessary to be put on the State Highway System or the standards in this ordinance, whichever is stricter in regard to each particular item, and shall be put on such systems. Streets which are not eligible to be put on the State Highway System because there are too few lots or residences, shall nevertheless, be dedicated to the public and shall be in accordance with the standards necessary to be put on the State Highway System, whichever is stricter in regard to each particular item, so as to be eligible to be put on the system at a later date. A written maintenance agreement with provisions for maintenance of the street until it is put on the State system shall be included with the final plat.

Section 606 SUBDIVISION STREET DISCLOSURE STATEMENT PUBLIC OR PRIVATE STREET DESIGNATION (G.S. 136-102.6): All streets shown on the final plat must be designated either "public" or "private" and designation as public is to be conclusively presumed an offer of dedication to the public.

Section 607 HALF-STREETS: The dedication of half-streets shall be prohibited.

Section 608 MARGINAL ACCESS STREETS: Where a tract of land to be subdivided adjoins a principal arterial parallel to the arterial street or reverse frontage on a minor street for the lots to be developed adjacent to the arterial. Where reverse frontage is established, private driveways shall be prevented from having direct access to the principal arterial.

Section 609 ACCESS TO ADJACENT PROPERTIES: Where, in the opinion of the Planning Board, it is necessary to provide for street access to an adjoining property, proposed streets shall be extended by dedication to the boundary of such property and a temporary turn-around provided.

Section 610 NON-RESIDENTIAL STREETS: The subdivider of a non-residential subdivision shall provide streets in accordance with F-4 of North Carolina Roads, Minimum Construction Standards, May 1983, or current standards, and the standards in this ordinance whichever are stricter in regard to each particular item.

Section 611 DESIGN STANDARDS: The design of all public streets and roads within the jurisdiction of this ordinance shall be in accordance with the accepted policies of the North Carolina Department of Transportation, Division of Highway, as taken or modified from the American Association of State Highway Officials (AASHO) manuals. The NC Department of Transportation, Division of Highways' Subdivision Road Minimum Construction Standards, July 1, 1985, or current standards, shall apply for any items not included in this ordinance, or where stricter than this ordinance.

Section 611.1: For all public streets, the minimum right-of-way widths shall be as follows:

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

<u>Rural</u>	<u>Minimum Rural Right-of-Way Feet</u>
1. Principal Arterial	350
Freeways	200
Other	
2. Minor Arterial	100
3. Major Collector	100
4. Minor Collector	50
5. Local Road	45
<u>Urban</u>	<u>Minimum Rural Right-of-Way Feet</u>
1. Major Thoroughfare	90
Other than Freeway & Expressway	
2. Minor Thoroughfare	70
3. Local Street	45
4. Cul-de-sac	45

The subdivider will only be required to dedicate a maximum of one hundred (100) feet right-of way. In cases where over one hundred feet of right-of-way is desired, the subdivider will be required only to reserve the amount in excess of one hundred (100) feet in width. In all cases in which right-of-way is sought for an access controlled facility, the subdivider will only be required to make a reservation.

B. Intersections:

1. Streets shall be laid out to intersect as nearly as possible at right angles and no street at an angle less than sixty (60) degrees.

2. Property lines at intersections should be so that the distance from the edge of pavement, of the street turnout, to the property line will be at least as great as the distance from the edge of the pavement to the property line along the intersection streets. This property line can be established as a radius or as a sight triangle. Greater offsets from the edge of pavement to the property lines will be required if necessary for the vehicle on the side street.
3. Offset intersections are to be avoided unless the Division of Highways grants exception. An Intersection which cannot be aligned should be separated by a minimum length of two hundred (200) feet between survey center lines.
4. Intersections with arterials, collectors, and thoroughfares, shall be at least one thousand (1000) feet from centerline to centerline, or more if required by the NC Department of Transportation.

C. **Cul-de-sacs:** All cul-de-sacs shall be a minimum diameter of one hundred (100) feet with a minimum of fifty (50) feet. Cul-de-sacs should not exceed two thousand (2000) feet in length unless necessitated by topography or property accessibility. Measurement shall be from the point where the centerline of the dead-end street intersects with the center of a through street to the center of the turn-around if the cul-de-sac. The distance from the edge of the pavement on the vehicular turn-around to the right-of-way line shall not be less than the distance from the end of the pavement to the right-of-way line on the street approaching the turn-around. Cul-de-sacs should not be used to avoid congestion with an existing street or to avoid the extension of an important street, unless the Planning Board grants exception.

D. Alleys:

1. Alleys shall be required to serve lots used for commercial and industrial purposes except that this requirement may be waived, where other definite and assured provision is made for service access. Alleys shall not be provided in residential subdivisions unless necessitated by unusual geographical land circumstances.
2. The drivable surface area of an alley shall be at least twenty (20) feet wide.
3. Dead-end alleys shall be avoided where possible, but unavoidable, shall be provided with adequate turn-around facilities at the dead-end as may be approved by the Planning Board.
4. Sharp changes in alignment and grade shall be avoided.
5. All alleys shall be designed in accordance with NC DOT standards.

Section 611.2 Type I, Type II, Type III Roads: Standards for development of Type I, II, and III private road or easement, accessing newly created lots shall meet NC Department of Transportation Minimum Construction Standards for maintained roads. Lots created by exceptions will be included when determining the standard of road construction needed for further subdivision of the acreage into new lots.

Type I private road or easement serving no more than three (3) lots, whether existing lots or new lots, or combination of the same, shall meet the following standards:

1. Must comply with minimum NC Department of Transportation Minimum Construction Standards for right-of-way standards for width and centerline radius.
2. Shall be recorded with the lots and dedicated for use by lot owners.

Type II private road serving more than three (3) and less than ten (10) lots shall meet the following standards:

1. Shall be constructed to meet all the NC Department of Transportation Minimum Construction Standards for subdivision road, including a minimum of four (4) inches of compacted stone; however, said roads do not have to be paved, and have a minimum of twenty-five (25) feet of drivable surface area.
2. Shall be dedicated to a homeowners association prior to approval of the final plat: (a) The homeowners' association shall be established before the lots are sold, (b) Membership in the association shall be mandatory for each lot buyer and all successive buyers, (c) The association shall be responsible for the maintenance of the upkeep of the private street or road.

Type III private road serving ten (10) or more lots and meeting the following standard:

1. Shall be constructed and paved to NC Department of Transportation minimum standards for subdivision roads.

A. Preliminary Plat approval: All subdivisions with private roads that, as of the effective date of this ordinance having Planning Board approval on the preliminary plat shall be built as approved, however, any additions to that subdivision shall follow these regulations.

B. Change in Type, Private Road or Private Easement: All roads as defined in Section 605, shall meet the standard of construction, based on the number of lots, prior to further subdivision of property.

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

D. Street Name Signs: The subdivider shall be required to provide and erect street name signs to County standards at all intersections with the subdivision prior to recordation of final plat.

E. Permits for Connection to State Roads: An approved permit is required for connection to any existing state system road. This permit is required prior to any construction on the street or road. The application is available at the office of the District engineer of the Division of Highways, Henderson, NC.

F. Wheelchair Ramps: In accordance with Chapter 136, Article 2A, Section 136.44.14, all street curbs in North Carolina being constructed or reconstructed for maintenance procedures, traffic operations, repairs, correction of utilities, or altered for any reason after September 1, 1973, shall provide wheelchair ramps for the physically handicapped at intersections where both curb and gutter and sidewalks are provided and at other major points of pedestrian flow.

G. Technical Review Committee (TRC): The Technical Review Committee shall be composed of representatives from the following Departments:

1. Planning Director/Zoning Administrator
2. Environmental Health Specialist
3. Public Works Director

Section 612 OTHER REQUIREMENTS

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

B. Sidewalks: Sidewalks may be required by the Planning Board on one or both sides of the street in areas likely to be subject to heavy pedestrian traffic such as near schools, and shopping areas. Such sidewalks shall be constructed to a minimum of four (4) feet, and shall consist of a minimum thickness of four (4) inches of concrete. All sidewalks shall be placed in the right-of-way, unless the development is platted as a planned unit or group development. Sidewalks shall consist of a minimum of six (6) inches of concrete at driveway crossings.

Section 613 UTILITIES

Section 613.1 WATER AND SEWER FACILITIES: Installation and provision for water supply and sewage disposal shall be according to the standards of the Warren County Public Works Department and the Warren County Health Department.

A. Water Supply System:

1. Connection Requirement: Any subdivision which is created after the adoption of this section and is located within that number of feet of an existing county owned or operated water supply and distribution system as is specified in Subsection B below, whether the subdivision is located within or without the service area of an existing county owned or operated public water supply and distribution system, the developer or subdivider shall cause a water distribution system, meeting the standards herein specified, to be constructed and installed in such subdivision and shall further cause said water distribution system to be connected to the existing county owned or operated public water supply and distribution system which is located as specified in said Subsection B. This requirement also applies to new phases of existing subdivisions when these phases have not had prior approval by the Warren County Planning Board.

Each lot in a subdivision located within five hundred (500) feet of a public water supply system shall be connected, at the developer's or subdivider's expense, to that water supply system.

Consideration shall be given to the acreage of an entire tract and the number of potential lots therein, taking into account topography of the tract, feasibility of the land for further subdivision development, and other factors.

Where, in the opinion of the Warren County Public Works Department, a subdivision cannot be economically connected to a county owned or operated water supply and distribution system, the subdivision must contain adequate area (based on information concerning the soil survey, water table, type of sewage disposal, etc.) for the installation of private water supply systems, and must be approved in writing by the Warren County Health Department. In addition, where, in the opinion of the Warren County Public Works Department, a subdivision cannot be economically connected to a county owned or operated water supply and distribution system, the developer or subdivider may establish and create a public water supply and distribution system or connect the subdivision to an existing public water supply system.

However, such created public water supply system or such water distribution system to be connected to an existing system shall be approved by and meet the requirements of all federal, state, and local governments, including but not limited to the Division of Environmental Health, Department of Health and Human Services of the State of North Carolina and the North Carolina Utilities Commission.

2. Distance Specification: A subdivision shall be required to meet the conditions of this section when the subdivision is located within that number of feet of an existing county owned or operated water supply and distribution system which equals the product of the number of lots within the subdivision (including lots to be developed in the future) multiplied by 100, provided however, that the maximum distance required for connection shall be five thousand (5000) feet.

3. Subject to Capacity Sufficiency: In the event that a subdivision should meet the distance requirement of Subsection 2 and the county owned or operated water supply and distribution system to which the subdivision would connect shall be of insufficient capacity to permit the delivery of water to said subdivision, the subject subdivision shall be relieved of the requirement to connect to such county system.

4. Review requirements: When a developer or subdivider is required to install a water distribution system pursuant to this section, prior to final approval of the record plat, the plans for the water distribution system to be installed shall be submitted to the Warren County Public Works Department. The location, size, and specifications of the water supply system shall be placed upon said plat for review and approval. Warren County Public Works Department shall review the information supplied and determine whether the plans meet the requirements of this section.

5. Plan Specification: The plans for a water distribution system to be installed pursuant to this section shall show and/or state thereon such information as will indicate that the system planned will meet, when constructed and installed, the requirements of this section.

6. Water Distribution System Specifications: A water distribution system to be constructed within a subdivision pursuant to this section and/or connected to the county owned or operated water supply and distribution system shall:

- a. Be properly connected in such a manner as to adequately serve all lots shown on the subdivision plat (including both present and future lots) for domestic use and fire protection.
- b. Conform to the specifications of the Warren County Public Works Department and conform to the accepted standards of good practice for water system construction, as specified by the Division of Environmental Health, Department of Health and Human Services.
- c. Be approved by the necessary federal and/or state agencies prior to or at the time of completion.
- d. Conform to all federal, state, and/or local ordinances, rules and regulations relating thereto and any license and/or permits required thereby shall be obtained.
- e. Be constructed pursuant to the necessary contractual agreements required by the policies, rules and regulations of the Warren County Public Works Department.

7. Fire Protection: In major subdivisions with new roads where an adequate public water supply system is available, the developer or subdivider shall install fire hydrants in such a manner that the subdivision is afforded adequate fire protection. Fire hydrants shall be located in such a manner that no lot is further than one thousand (1000) feet from a hydrant. Water lines on which fire hydrants are to be installed shall be no less than six (6) inches in diameter. There shall be no closed or dead end lines servicing the fire hydrant locations on the subdivisions, unless an alternate method is approved.

8. Water distribution lines shall be no smaller than six (6) inches in diameter with the following exception: On cul-de-sacs which are served by a fire hydrant connected to a water line of six (6) inches in diameter, or larger, water services may be provided with lines of smaller than six (6) inches, but not less than two (2) inches, if a blow-off valve is established at the end of the loop. This exception shall not apply where such line represents the interconnection between the subdivision and the municipal system. On streets which are "stubbed out" at the property lines to permit future development, service must be provided by lines of at least six (6) inches nominal diameter.

9. Subdivisions Where Section Not Applicable: When located outside the service area of county owned or operated water supply and distribution system and/or outside the distance specifications, water may be supplied by a community water system installed by the developer, provided the community water system provides an adequate water supply for domestic use, and provided that six (6) inch water lines are installed to service fire hydrants and such that no lot is more than one thousand (1000) feet from any hydrant location.

10. Construction period: When a subdivision is to be developed in phases, the water distribution system required hereunder may be constructed in steps simultaneous with the development of each phase of the subdivision.

B. Sewer Disposal System:

1. Connection Requirement: Any subdivision which is created after the adoption of this section and is located within that number of feet of an existing county owned or operated sewage disposal system as is specified in Subsection 2 below, whether the subdivision is located within or without the service area of an existing county owned or operated public sewage disposal system, the developer or subdivider shall cause a sewage disposal system, meeting the standards herein specified, to be constructed and installed in such subdivision and shall further cause said sewage disposal system to be connected to the existing county owned or operated public sewage disposal system which is located as specified in said Subsection B. This requirement also applies to new phases of existing subdivisions when these phases have not been previously approved by the Warren County Planning Board.

Each lot in a subdivision located within five hundred (500) feet of a public sewage disposal system shall be connected, at the developer's or subdivider's expense, to that sewage disposal system.

Consideration shall be given to the acreage of an entire tract and the number of potential lots therein, taking into account topography, feasibility of the land for further subdivision development, and other factors.

Where, in the opinion of the Warren County Public Works Department, a subdivision cannot be economically connected to a county owned or operated sewage disposal system, the subdivision must contain adequate area (based on information concerning the soil survey, water table, type of water source, etc.) for the installation of private sewage disposal systems, and must be approved in writing by the Warren County Health Department. In addition, where, in the opinion of the Warren County Public Works Department, a subdivision cannot be economically connected to a county owned or operated sewage disposal system, the developer or subdivider may establish and create a public sewage disposal system or connect the subdivision to an existing public sewage disposal system.

However, such created public sewage disposal system or such sewage disposal system to be connected to an existing system shall be approved by and meet the requirements of all federal, state, and local governments, including but not limited to the Division of Environmental Health, Department of Health and Human Services of the State of North Carolina and the North Carolina Utilities Commission.

2. Distance Specification: A subdivision shall be required to meet the conditions of this section when the subdivision is located within that number of feet of an existing county owned or operated sewage disposal system which equals the product of the number of lots within the subdivision (including lots to be developed in the future) multiplied by 100, provided however, that the maximum distance required for connection shall be five thousand (5000) feet.

3. Subject to Capacity Sufficiency: In the event that a subdivision should meet the distance requirement of Subsection B and the county owned or operated sewage disposal system to which the subdivision would connect shall be of insufficient capacity to permit the collection and treatment sewage from said subdivision, the subject subdivision shall be relieved of the requirement connect to such county system.

4. Review requirements: When a developer or subdivider is required to install a sewage disposal system pursuant to this section, prior to final approval of the record plat, the plans for the sewage disposal system to be installed shall be submitted to the Warren County Public Works Department. The location, size, and specifications of the sewage disposal system shall be place upon said plat for review and approval. Warren County Public Works Department shall review the information supplied and determine whether the plans meet t he requirements of this section.

5. Plan Specification: The plans for a sewage disposal system to be installed pursuant to this section shall show and/or state thereon such information as will indicate that the system planned will meet, when constructed and installed, the requirements of this section.

6. Sewage Disposal System Specifications: A sewage disposal system to be constructed within a subdivision pursuant to this section and/or connected to the county owned or operated sewage disposal system shall:

- a. Be properly connected in such a manner as to adequately serve all lots shown on the subdivision plat (including both present and future lots).
- b. Conform to the specifications of the Warren County Public Works Department and conform to the accepted standards of good practice for sewage system construction, as specified by the Division of Environmental Health, Department of Health and Human Services.
- c. Be approved by the necessary federal and/or state agencies prior to or at the time of completion.
- d. Conform to all federal, state, and/or local ordinances, rules and regulations relating thereto and any license and/or permits required thereby shall be obtained.
- e. Be constructed pursuant to the necessary contractual agreements required by the policies, rules and regulations of the Warren County Public Works Department.
- f. Sanitary sewer collection lines shall be no smaller than six (6) inches in diameter.

7. Subdivisions Where Section Not Applicable: When located outside the service area of a county owned or operated sewage disposal system and/or outside the distance specifications, adequate sewage disposal may be supplied by a community sewage disposal system installed by the developer, provided the community sewage disposal system provides adequate sewage disposal.

8. Construction period: When a subdivision is to be developed in phases, the sewage disposal system required hereunder may be constructed in steps simultaneous with the development of each phase of the subdivision.

C. General Note: For the purpose of this section, the terms "water system" and "sewage system" shall include all appurtenances and fixtures normally associated with such facilities, including but not limited to, fire hydrants, gate valves, blow-offs, manholes, and pumping apparatus, etc.

Section 614 FIRE PROTECTION REQUIREMENTS

MAJOR SUBDIVISIONS WITH PRIVATE WATER SYSTEMS: All major subdivisions located on Lake Gaston are required to install Poly Vinyl Chloride (PVC) Dry Hydrants. The Homeowners Association governing major subdivisions approved prior to May 1988 shall also have the option to install such hydrants.

Permits for the installation of PVC Dry Hydrants shall be requested by the developer of major subdivisions (or the Homeowners Association for those subdivisions approved prior to May 1988) and issued by NC Power. Procedures for the Design, Installation, Use and Maintenance of the Poly Vinyl Chloride (PVC) Dry Hydrant shall be approved by Warren County's Fire Marshal. Further, an access easement of not less than fifteen (15) feet is reserved for access to the dry hydrant. This agreement shall be waived upon the availability of a county water supply.

Section 615 UNDERGROUND WIRING: All subdivisions in which the smallest lot is less than forty thousand (40,000) square feet shall have underground wiring. The Planning Board may waive this requirement if the underlying rock is less than four (4) feet from surface, in areas where soils have a high water table, or if there is extensive pre-existing overhead wiring on the street in the immediate neighborhood of the subdivision. The subdivider shall be required to pay the charges for installation of the underground service, which charges will be made in accordance with the then-effective underground electric service plan as filed with the NC Utilities Commission.

Section 616 BUFFERING: Buffering - In residential subdivisions, a buffer strip at least fifty (50) feet in depth in addition to the normal lot size and depth required, shall be provided adjacent to all railroads and limited access highways, commercial and/or industrial development, and public development. 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 reserved for existing vegetation or the planting of trees or shrubs by the owners; the building of structures hereon is prohibited."

Section 617 OTHER REQUIREMENTS

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

- A. Permanent concrete monuments four (4) inches in diameter or square, three (3) feet long, corners of the subdivision, provided that additional monuments shall be placed where necessary so that no point within the subdivision lies no more than five hundred (500) feet from a monument. Two (2) or more of the required monuments shall be designated as control corners. The top of each monument shall have an indented cross, metal pin, or metal plat to identify properly the location of the point. All monuments shall be shown on the final plat.
- B. All lot corners, all points where the street lines intersect and exterior boundaries of the subdivision, and all angle points of curve in each street, shall be marked with iron pipe or iron stakes at least three-eighth (3/8) inches in diameter and twenty-four (24) inches long.
- C. At least one corner of the property surveyed shall be designated by course and distance (tie) from a readily discernible reference marker. If a corner is within two thousand (2,000) feet of a U.S. Coast and Geodetic Station of NC Grid System coordinated monument, then this corner shall be marked with a monument so designated and shall be accurately tied to the station or monument by computed X and Y coordinates which appear on the map with a statement identifying the station or monument and to an accuracy of at least 1:10,000. When such a monument or station is not available, the tie shall be made to some pertinent and readily recognizable landmark or identifiable point, physical object, or structure.

Section 618 CONSTRUCTION PROCEDURES: No construction or installation of improvements shall commence in a proposed subdivision until the preliminary plat has been approved, and the appropriate authorities have approved all plans and specifications. Further the developer shall provide a starting date and a projected completion date for all subdivision improvements pursuant to criteria and standards set forth in Article IX, "Articles of Agreement", of the Warren County Subdivision Ordinance.

No building, zoning, or other permits shall be issued for erection of a structure on any lot of record at the time of adoption of this ordinance until the final plat has been approved and recorded. The subdivider, prior to commencing any work within the subdivision, shall make arrangements with the administrator of this ordinance to provide for adequate inspection. The approving authorities having jurisdiction or their representatives shall inspect and approve all completed work prior to release of sureties.

ARTICLE VII PLANNED DEVELOPMENTS

Section 701 PLANNED DEVELOPMENTS: Where topography or other existing physical conditions are such that compliance with the requirements of this ordinance would cause an unusual and unnecessary hardship on the subdivider above and beyond what other subdividers would meet, the Planning Board may vary the minimum requirements set forth herein, provided that such variation will not have the effect of nullifying the interest and purpose of these regulations. Where a variation is accepted the reasons for such shall be noted in the minutes of the Planning Board.

Section 702 EXCEPTIONS FOR PLANNED DEVELOPMENTS: The purpose of this Article is to provide desirable open space in commonly owned areas, tree cover recreation area, scenic vistas, and variety in development by allowing certain variations in lot size and design requirements, and the establishment of townhouses and condominiums. In no case shall the overall density of dwelling units be greater than that permitted by the applicable zoning requirements. Subject to the approval of the Board of

Adjustment, the design standards as set forth in this ordinance may be modified by the Planning Commission in the case of a plan and program for a planned development which may consist of offices, institutions, store, industries, townhouses and residences or any desirable combination of these establishments which meet the requirements of the Planned Development Provisions of the Warren County Zoning Ordinance. Proposed ownership of planned developments may be by one individual, partnership, corporation, cooperative, condominium or any desirable combination. A preliminary and final plat of a planned development shall be submitted pursuant to the provisions of this Article in conformity with the following:

A. Common Areas - All planned unit developments shall contain commonly owned land equal in area to twenty percent (20%) of the entire development. Common areas shall not be less than two (2) acres in size and shall be held in non-profit corporate ownership by the owners of lots within the development. In consideration of the purpose by a planned development, the title to such common areas or property shall be preserved to the perpetual benefit of the private properties in development shall be restricted against private ownership for any other purpose. If the corporation desires, improvements may be made within the common areas provided that maximum coverage of such improvement shall not exceed twenty-five percent (25%) of the entire common property. The developer shall submit and, after approval by the Planning Board record a declaration of the covenants and restrictions that will govern the ownership, management and maintenance of the common areas;

B. Density - Individual lot size may be varied, but the overall density of a planned development shall not exceed that permitted original Site Development Plan as approved by the Planning Board. All remaining land not shown, as lots shall be designated as common areas;

C. North Carolina Unit Ownership Act - Before a declaration established a condominium or the declaration and plan shall be approved by the planning board as a preliminary and final plat;

D. Site Plan - Site plans for all planned development shall show the location of the buildings, streets, alleys, walks, parking areas, recreation areas, tree covers and planting. The site plan shall number and show streets utility easements to be dedicated streets and utility easements to be dedicated to the public. All areas on the site plan other than public streets, easements or private building sites shall be shown and designated as common areas;

E. Landscape Plan - A landscape plan for all planned development shall show all existing and proposed plant material. The plan shall indicate the size and type of existing plant material and the size and type or plants to be planted.

F. Public Access, Easements, and Private Party Walls - Building lots may abut or be provided with frontage on common areas, properly restricted through a property owners association to assure adequate access, if in the opinion of the County of Warren a public street is within an acceptable distance and would allow adequate community services. Easements over the common areas for access, ingress, and egress from and to public streets and walkways and easements for enjoyment of the common areas, as well as for parking, shall be granted to each owner of a residential site. All common walls between individual residences shall be party walls and provisions for the maintenance thereof and restoration in the event of destruction or damage shall be established;

G. Utilities and Improvements Required - All planned developments shall include public water and sewer utilities, sidewalks, paved streets and parking area with curb and gutter, underground electric and telephone phone service, landscaping and any other improvements considered necessary by the Planning Board.

ARTICLE VIII DEFINITIONS

Section 801 DEFINITIONS

Section 801.1 "SUBDIVISION" DEFINED: For the purpose of this ordinance, "subdivision" means all divisions of a tract or parcel of land into two or more lots, building site, or other divisions for

the purpose of sale, lease, or building development (whether immediate or future) and includes all divisions 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 ordinance:

1. **Combination/Recombination** - The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County as shown by the regulations prescribed by this ordinance, shall be exempt
2. **Divisions Greater Than Ten (10) Acres** - The division of land into parcels greater than ten (10) acres where no street right-of-way dedication is involved shall be exempt.
3. **Public Acquisitions/Right-of-Way** - The public acquisition by purchase of strips of land for the widening or openings of street shall be exempt.
4. **Lots Of Record Not Platted** - Lots of record which were recorded by a deed in the Warren County Courthouse prior to the adoption of the subdivision ordinance may have a plat prepared and recorded.
5. **Cemetery Lots** - Individual cemetery plots may be platted and recorded that do not meet the minimum lot size requirement of the zoning district in which it exists; however, the cemetery shall comply with the applicable zoning district regulations.
6. **Utility Easements/Lease Agreements** - Utility easements shall be shown on subdivision plats as required by this ordinance; however, utility easements and utility lease agreements for distribution boxes or structures shall be exempt from the subdivision regulations.
7. **Conservation Easements**
8. **Estate Exclusion** - A voluntary partition of land or subdivision of land made for dividing the estate of a decedent among his/her heirs, whether the decedent died testate or intestate. In the event of a transfer or division of an estate in which interior parcels do not abut a public road, each such parcel must have an approved access to a public road with a minimum of a fifty (50) foot right-of-way.

Section 802 OTHER DEFINITIONS: For the purpose of this ordinance, certain words or terms used herein shall be defined as follows:

- ◆ **ALLEY** - A minor right-of-way privately or publicly owned, primarily for service access to the back or side of properties.
- ◆ **BUFFER STRIP** - A solid fence or wall, or a planted strip at least five (5) feet in width composed of deciduous and/or evergreen trees spaced not more than ten (10) feet apart, and not less than one (1) row of dense shrubs spaced not more than five (5) feet apart, which shall be established maintained in perpetuity by the owner of the property whenever required under the terms and provisions of this ordinance.
- ◆ **BUILDING SETBACK LINE** - A line parallel to the front property line in front of which no structure shall be erected.
- ◆ **CORNER LOT** - A lot, which abuts the right-of-way of two (2) streets at their intersection.
- ◆ **DEDICATION** - A gift, by the owner, or a right to use of land for a specified purpose or purposes. Because a transfer of property rights is entailed, dedication must be made by written instrument and is completed with an acceptance.
- ◆ **DOUBLE FRONTAGE LOT** - A continuous (through) lot, which is accessible from both streets upon which it fronts.

- ◆ **EASEMENT** - A grant by the property owner of a strip of land for a specified purpose and use by the public, a corporation, or persons.
- ◆ **LOT**- A portion of subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both.
- ◆ **LOT OF RECORD** - A lot which is part of a subdivision, a plat of which has been recorded in the Office of Register of Deeds of Warren County prior to the adoption of this ordinance; or a lot described by metes and bounds, the description of which has been so recorded prior to the adoption of this ordinance.
- ◆ **OFFICIAL MAPS** - Any maps or plans officially adopted by the County Commissioners as a guide to the development of the County of Warren.
- ◆ **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 (Amendment approved by Warren County Board of Commissioners March 12, 2012)** - The planned unit development of at least two (2) acres designed to provide for developments incorporating a single type or a variety of residential, commercial, industrial, and related uses which are planned and developed as a unit. Such development may consist of individual lots or common building sites to affecting the long-term value of the entire development.
- ◆ **PLANNING BOARD** - The Planning Board of Warren County.
- ◆ **PLAT** - A map or plan of a parcel of land, which is to be or has been subdivided.
- ◆ **PRIVATE DRIVEWAY EASEMENT** - A roadway serving three (3) or fewer lots (50 feet wide), building sites or other division of land and not intended, for public ingress or egress.
- ◆ **PRIVATE STREET** - An undedicated private right-of-way, which affords access to abutting properties and requires a subdivision streets disclosure statement in accordance with G.S. 136-02.6.
- ◆ **PUBLIC SEWAGE DISPOSAL SYSTEM** - A system serving two (2) or more dwelling units and approved by the Warren County Division of the District Health Department and the North Carolina Department of Natural and Economic Resources.
- ◆ **PUBLIC WATER SUPPLY** - A Public Water system means a system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves and average of at least 25 individuals daily at least 60 days out of the year. Such term includes:
 - a. any collection, treatment, storage, and distribution facility under control of the operator of such system and use primarily in connection with such systems; and
 - b. any collection of pre-treatment storage facility not under such control which is used primarily in connection with such systems.

A public water system is either a "community water system" or a "non-community water system." A Community Water System means a public water system, which serves at least 15 service connections or regularly serves at least 25 year-round residents. Non-community Water System means a public water system, which is not a community water system.

- ◆ **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 does not involve any transfer of property rights. It simply constitutes an obligation to keep property free from development for a stated period of time.

- ◆ **SINGLE-TIER LOT** - A lot which backs upon limited access highway, a railroad, a physical barrier, or another type of land use and which access from the rear is usually prohibited.
- ◆ **STREET** - A dedicated and accepted public right-of-way for vehicular traffic. The following classification shall apply.
- ◆ **RURAL ROADS**
 - a. **Principal Arterial** - A rural link in a network of continuous routes serving corridor movements having trip length and travel density characteristics indicative of substantial state-wide or interstate travel and existing solely to serve traffic. This network would consist of Interstate routes and other routes designed as principal arterials.
 - b. **Minor Arterial** - A link in a network adjoining cities and larger towns and providing intrastate and undercount service at relatively high (55 mph) overall travel speeds with minimum interference through movement. This network would primarily serve traffic.
 - c. **Major Collector** - A road, which serves major intra-county travel corridors and traffic generators and provides access to the arterial system.
 - d. **Minor Collector** - A road, which provides service to small local communities and links the locally important traffic generators with their rural hinterland.
 - e. **Local Road (Local Street)** - A local road serves primarily to provide access to adjacent land and for travel over relatively short distances.
- ◆ **SPECIFIC TYPE RURAL OR URBAN STREET**
 - a. **Cul-de-sac** - A cul-de-sac is a short street having but one end open to traffic and the other end being permanently terminated and a vehicular turn-around provided.
 - b. **Frontage, Road (Marginal Access)** - A frontage road is a local street or road that is parallel to a full or partial access controlled facility and functions to provide access to adjacent land.
 - c. **Alley** - A strip of land owned publicly or privately, set aside primarily for vehicular service access to the back or side of properties otherwise abutting road which serves traffic with full or partial control of access and generally with grade separations at intersections; however, infrequent at-grade crossing may be permitted.
 - d. **Freeway (Limited Access)** - A freeway is a divided street or road, which serves through traffic with full control of access and with grade separations at intersections.
- ◆ **SUBDIVIDER** - A person, firm, or corporation who subdivides or develops any land deemed to be subdivision as herein defined.
- ◆ **TECHNICAL REVIEW COMMITTEE** - A committee established to review minor subdivisions to insure compliance with standards established by this ordinance. The Technical Review Committee shall be composed of the following: (a) Planning Director/Zoning Administrator (b) Environmental Health Specialist and, (c) Public Works Director

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

- ◆ Words used in the present tense include the future tense.
- ◆ Words used in the singular number include the plural, and words used in the plural number include the singular, unless the natural construction of the wording indicates otherwise.
- ◆ The word "person" includes firm, association, corporation, trust and company, as well as an individual.
- ◆ The words "used for" shall include the meaning "designed for."
- ◆ The word "structure" shall include the word "building."
- ◆ The word "lot" shall include the words "plot," "parcel," or "tract."
- ◆ The word "shall" is always mandatory and not merely directory.

ARTICLE IX
ARTICLES OF AGREEMENT

These Articles of Agreement, made and entered into this _____ day of _____, 20____, by and between, _____, hereinafter referred to as Developer, and the citizens of the County of Warren, North Carolina, by their Board of County Commissioners, and their Planning Board, hereinafter referred to as Warren County.

WITNESSETH:

In consideration of the approval by Warren County of the plat for the subdivision know as _____ in accordance with the Developer's proposal submitted herewith, the Warren County Subdivision Regulations as enacted by the Board of County Commissioners of Warren County. Said Subdivision Regulations are incorporated into this Agreement by the reference and made a part thereof.

Developer agrees to complete all improvements so specified in the subdivision prior to the sale of any lot therein or to provide guarantees to Warren County for such improvements in a form acceptable to Warren County prior to the sale of any lot therein. Said guarantees shall remain in effect and shall be renewed by the Developer as necessary until released by Warren County. Said guarantees shall be forfeited upon determination by Warren County that compliance with this Agreement or the Warren County Subdivision Regulations has not been accomplished.

It is mutually agreed that the time of performance by the Developer shall be an essential part of this Contract, any failure of the Developer to complete the subdivision in accordance with the Warren County Subdivision Regulations and Developers proposals as approved by Warren County, which is incorporated herein by this reference, and according to the completion schedule herein contained, shall be cause for forfeiture of the guarantees to Warren County. Notwithstanding any provision herein, the Warren County Planning Board shall have authority to extend the times for compliance upon demonstration by the Developer that unforeseen or unusual circumstances exist.

Completion schedule:

	Starting Date	Completion Date	Cost Estimate
Water System	_____	_____	_____
Streets and Roads	_____	_____	_____
Drainage Improvements	_____	_____	_____
Amenities	_____	_____	_____
Private Utilities	_____	_____	_____
Street Signs/Traffic Control	_____	_____	_____

The Developer hereby agrees to identify full responsibility for the up-keep and maintenance of any and all streets and roads until such time as said streets and roads are included in the state system for maintenance or turned over to a property owners association or other private group for maintenance. The Developer shall actively seek including of said streets and roads into the state system, if applicable, and provide evidence of such to Warren County.

It is further mutually agreed and understood that all agreements herein contained shall extend to and be obligatory upon the heirs and assigns of the Developer and in no event will this Agreement be assigned by the developer without the written consent of Warren County.

Developer Date

Attorney On Behalf of Developer Date

Registered Professional Engineer Date

County Representative, Title Date

ARTICLES OF AGREEMENT MUST BE NOTARIZED

Notary Seal
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