

## Sec. 18-226. Access and circulation.

- A The type and arrangement of streets within a development under this chapter shall be in compliance with and coordinate with the Town of Archer Lodge's Thoroughfare Plan. Principal vehicular access points to the subdivision shall be designed to encourage smooth traffic flow and minimize hazard to vehicular traffic, pedestrian and bicycle traffic. Accommodation for controlled turning movements into and out of the subdivision and improvement of the approach street should be considered where existing or anticipated heavy traffic flows indicate need. Safe and convenient vehicular access shall be provided for emergency, service and school bus vehicles.
- a) *Roads.* The arrangement, character, extent, width, grade, and location of all roads should be designed in relation to existing and proposed transportation patterns, topographical and other natural features, public convenience and safety, and proposed uses of lands to be served by such roads and existing and potential land uses in adjoining areas. ~~Private roads not within a minor subdivision. shall:~~
- b) All roads shall:
- i) ~~Be limited to a non through road; Meet the road construction standards as set forth in the latest edition of the NCDOT Subdivision Roads Minimum Construction Standards, with the additional requirement that pavement surface be a minimum of 2 inches Asphalt Concrete Surface Course, and;~~
- ii) ~~Be paved;~~ Shall be dedicated for public use and meet the design and construction standards as required by the NCDOT for the functional classification and projected traffic volumes.
- iii) ~~Meet the road constructions standards as set forth in the latest edition of the NCDOT Subdivision Roads Minimum Construction Requirements. For all roads not maintained by NCDOT and/or not dedicated for public use, be ensured proper maintenance through the establishment of a homeowners' association or a road maintenance agreement.~~
- iv) ~~Meet the road constructions standards as set forth in the latest edition of the NCDOT Subdivision Roads Minimum Construction Requirements.~~
- v) ~~Dedications for Future Right of Way — All roads to be dedicated for public use shall meet the design and construction standards as required by NCDOT for the functional classification and projected traffic volumes.~~

iv) ~~vii~~) Other Road Requirements

- (1) *Permits for Connecting to NCDOT Roads*: An approved permit is required to connect any subdivision street to an existing NCDOT road. This permit is required prior to constructing the road. The application is available at the office of the nearest district engineer of the Division of Highways.
  - (2) *Offsets to Utility Poles*: Overhead utility poles shall be break-away or located outside the roadway clear zone.
  - (3) *Wheelchair Ramps and Curb Cuts for Disabled Persons*: All roads, sidewalks, curbing, crosswalks, and other road improvements shall conform to the requirements of North Carolina General Statutes Chapter 136, Article 2A, Section 136-44.14 and the American Disabilities Act.
- v) ~~viii~~) *Relationship to adjoining properties*. New streets or roads shall be appropriately related to, and coordinated with, adjoining properties and existing and proposed roadways. Roadways within a proposed subdivision may be required to connect with adjoining properties where necessary to permit the convenient, efficient and safe movement of traffic. All roads that extend to adjacent properties shall be designated as public roads.
- c) *Cul de Sac Length*. No residential street cul-de-sac serving lots of 20,000 square feet or greater in size shall exceed 1,000 feet in length. No residential street cul-de-sac serving lots less than 20,000 square feet in size shall exceed 700 feet in length
- d) ~~b~~) *Access to streets*. Every subdivided lot shall front on, or have direct driveway access or dedicated easement to, a public or private street meeting the standards of the latest edition of the NCDOT Subdivision Roads Minimum Construction Standards.
- e) ~~c~~) *Direct residential driveway connections*. Subdivisions located on ~~an arterial~~ a collector road shall be designed such that no new subdivided lot shall have a direct driveway connection onto ~~an arterial~~ the collector road, unless it can be demonstrated that the proposed subdivision cannot be feasibly designed, or that no reasonable alternative exists, to ~~prohibit driveway access onto an arterial~~ the collector street.
- i) Major subdivisions to be located on a local road shall be designed such that there shall be no more than one direct residential driveway connection per 500 feet along the same side of the local road, unless it can be demonstrated that the proposed subdivision cannot be physically designed, that no reasonable alternative exists, or it would create an unreasonable hardship without a corresponding public benefit to prohibit individual driveway access onto a local road.
  - ii) *Subdivision access*. A second full-service access for the purpose of ingress and egress or an emergency access easement shall meet the requirements of the latest edition of the NCDOT Subdivision Roads Minimum Construction Standards ~~for the~~

purpose of ingress and egress or an emergency access easement. The second full service access will be required when meeting or exceeding the following thresholds:

- iii) For subdivisions proposing between 100 and 200 lots, 30 and 74 lots, at least two access points shall be included. The second access may consist of an existing or future street connection to an adjacent development. Where no adjacent development exists, the developer has the option of providing a second full-service access for the purpose of ingress and egress or a dedicated "emergency vehicle access." This "emergency vehicle access" is to be constructed of any all-weather surface and kept cleared at all times in case the main entrance is blocked and emergency vehicles need to access the development.
- iv) For subdivisions proposing 201 between 75 to 249 lots or more, the developer shall provide a second full-service access for the purpose of ingress and egress.
- v) For subdivisions proposing (or which have the potential for) 250 or more lots, three separate access points shall be included. Where three or more access points are required, the Town Board/Planning Board may waive the requirement for immediate construction of more than two access points, provided that subdivision phasing and design illustrates the additional required connections.
- vi) A waiver of these standards may be allowed by the Town Council/Planning Board during approval of the preliminary subdivision plat only where limited frontage, natural features (slope, topography), or similar circumstances preclude the required connections and there is no substantial impact noted regarding emergency service access.
- f) *Subdivision road standards.*
  - i) Once a subdivision street has a minimum of four occupied homes and an average of two occupied homes per tenth of a mile, no more Zoning Compliance Permits will be issued for lots on that street until the NCDOT accepts the subject street into the state-maintained roadway network, per the developer's request.
  - ii) No more than 75% of a subdivision's certificates of occupancy may be issued until the required secondary access has been constructed or bonded for construction.

Note: For determining when a second access is required, the count will be cumulative.

g) *Sidewalks*

- i) Specifications: When provided, or required by the Planning Board, sidewalks shall be constructed to a minimum width of five (5) feet and in accordance with NCDOT

specifications and construction standards. All sidewalks shall be located behind curb and gutter or beyond the clear zone behind a swale or ditch. All sidewalks shall be placed in the street right-of-way or within a public access easement, except as provided below. Sidewalks shall have a minimum width of five (5) feet.

- ii) Protection of significant trees: Sidewalks shall be meandered as to protect and preserve existing significant trees. For that purpose, sidewalks may be placed within a minimum 15-foot wide maximum 10-foot wide public access easement located outside the public right-of-way.
- iii) When required: At the discretion of the Planning Board, sidewalks may be required on one side or both sides of the street where it is reasonable that the public has access and will use the sidewalks where an existing school, church or other civic facility, such as a park, open space, trail, or greenway, lies within one-quarter-mile of the boundaries of the proposed subdivision, in which case a safe pedestrian connection between the subdivision and the off-site facility is desirable.

h) *Curb and gutter.*

- i) Curb and gutter standards: When provided, or required by ~~either~~ the Planning Board ~~or town council~~, curb and gutter shall be constructed in accordance with plans and profiles meeting NCDOT specifications.
- i) *Open Space Requirements.* All major subdivision residential developments shall provide or dedicate common open space or recreation areas suitable for the residents' common passive or active recreational uses or make a payment in lieu of provision or dedication.
  - i) *Minimum common open space or recreation area.* Where common open space or recreational area must be provided or dedicated as part of a major subdivision residential development, its total land area shall be at least 15 percent of the total gross land area of the development. Where amenities are proposed, a reduction in the required minimum acreage may be approved by the Planning Board. For major subdivisions with less than two acres of open space, the Planning Board shall determine if the location, design, use, and area provide a benefit to the community, require revision, or proposal of fee-in-lieu.
    - (1) The required open space shall be contiguous, unless it is determined by the Planning Board that the required open space can be split and located at different places in a subdivision. Wherever possible, open space and recreation areas should be located as to abut existing open space in adjacent developments or phases. If a proposed major subdivision contains wetlands and/or riparian or stream buffer areas, or overhead electric utility easements, they must be designated as common open space. However, these areas will not count toward the amount of required open space. No off-site septic areas for the benefit of residential lots can be included within the required open space.

- (2) Any proposed reduction or change involving previously recorded open space must be approved by the Planning Board. The applicant must provide sufficient information on why the change is requested and why no other alternative exists.
- ii) *Method of provision or dedication.* Land provided or dedicated for common open space or recreation purposes shall be designated on a final plat duly recorded with the Johnston County Register of Deeds. Amenities shall be designated on the final plat and shall be specific as to type of amenity/use. Design criteria can be found in Chapter 16 – Design Standards. Such common open space land shall be dedicated or deeded to an appropriate public body, pending their acceptance, land trust, nonprofit, or for-profit organization established for the purpose of land conservation or recreational purposes; or create a neighborhood or homeowner's association for the continuing maintenance and control of common open space or recreation area; or, held by the owner for the continuing maintenance and control of common open space or recreation area, subject to a binding agreement with financial surety for such maintenance.
- iii) *Payments in lieu of provision or dedication.* In lieu of providing or dedicating common open space or recreation area required pursuant to this section, a developer of a subdivision may choose to make a payment to the Town of Archer Lodge. As noted in subsection i), if the required open space to be provided is less than two acres the Planning Board shall determine if fee-in-lieu shall be required. The Town of Archer Lodge shall use such payment only for the acquisition or development of open space, recreation, or park sites to serve residents of the Town of Archer Lodge. The amount of the payment shall be the product of the total number of dwelling units recorded multiplied by the fee established in the Town of Archer Lodge's annual schedule of fees. The developer shall make the payment before approval of a final plat; however, the zoning administrator may allow phasing of payments consistent with the approved phasing of the major subdivision.
- iv) *Access to open space.* All open space must be pedestrian accessible. Open space not contiguous to a proposed subdivision street must have a minimum 20-foot fee-simple access.
- j) An incorporated homeowners association shall be required for all major residential subdivisions.