TOWN OF FLETCHER

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MAYOR

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TOWN MANAGER

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To: **Mayor & Town Council**

Cc: Mark Biberdorf, Town Manager

From: Eric Rufa, Planning Director

Date: April 22, 2024

RE: **Potential LDC Amendments – Request Public Hearing for June**

At their May 19, 2024 meeting, the Fletcher Planning Board unanimously recommended a number of draft amendments to several sections of the Land Development Code, largely related to additional services by the Town's consulting engineer for various plan review and oversight, and also related to street width requirements.

Staff will be present at the May 6, 2024 agenda review meeting to give a brief overview of the draft amendments, and is requesting that an official public hearing be set for June 10, 2024 to official consider approval. A summary of the sections is below, and included in your packets are the relevant pages of the ordinance with the draft amendments highlighted in red text.

- **Article 12** – Includes a number of recommendations to add language which includes assistance by the Town's consulting engineer for technical oversight on matters involving roads, sidewalks, & curbs/gutters, with assistance coming during plan review, inspections during construction, and project close out. Also included are some proposed revisions to the street width category "Minor Street" which would limit this street type in some new developments. Some additional language is proposed for items related to performance guarantees which adds a few specific categories to a potential bond or other guarantee (ie. Adding curbs/gutters).

- **Article 14** – Includes one minor amendment clarifying the makeup of the "Technical Review Committee"

- **Article 15** – Incorporates the potential services of the consulting engineer mentioned in Article 12 into relevant sections and the flow charts/procedures for several development review categories.

- **Article 16** – Some minor revisions are recommended for site plan requirements (clarifying when a plan must be submitted by a NC licensed engineer, and clarifying language on requirements for spot elevations and detailed grading on certain elements of a development—ie. Sidewalks, ramps etc.

Thank you for your consideration of this matter.

- 2-lot subdivision: access may be provided by:
  - via direct access to a street, or
  - via a shared driveway (see Section 12.3 C above)

- 3- or 4-lot subdivision: access may be provided by:
  - direct access to a street, or
  - via two (2) shared driveways, or
  - via a private Residential Local Road constructed in accordance with the design and construction standards of the most current NCDOT "Subdivision Roads-Minimum Construction Standards" Manual (except that no sidewalk, curbs, gutters, street lights, or landscaping shall be required)

E. In a Major Subdivision or Planned Residential Development, access shall be provided by a street system constructed in accordance with the provisions of Article 12.5

12.4 Street/Driveway Design – General Provisions

The Town views streets as the most important public space and therefore, in an effort to protect this investment, has developed a set of principles which permit this space to be used by both motorized vehicles, non-motorized vehicles (bicycles), and pedestrians.

A. All streets shall be constructed in accordance with the design and construction standards of the most current NCDOT "Subdivision Roads-Minimum Construction Standards" Manual and shall permit public access whether by easement or by public dedication. Alternative street design and construction standards may be submitted to the Administrator for review by the Town's consulting engineer for approval. Such alternative designs are subject to approval by the final approving body.

B. All streets and driveways shall adhere to the most current NCDOT "Policy on Street and Driveway Access to North Carolina Highways" when a proposed street or private driveway connects into the State Highway System or the Town-maintained Road System. Alternatives may be submitted to the Administrator for review by the Town's consulting engineer for approval. Such alternatives are subject to approval by the final approving body.

C. Wherever possible, street locations should account for difficult topographical conditions, paralleling excessive contours to avoid excessive cuts and fills and the destruction of significant trees and vegetation outside of street-rights-of way on adjacent lands.

D. The use of traffic calming devices such as raised intersections, landscaping bulb-outs, and traffic circles are encouraged as alternatives to conventional traffic control measures.

E. All on-street parking provided shall be parallel, unless otherwise approved by the Planning Board.

F. Proposed streets which are obviously in alignment with existing streets shall bear the assigned name of the existing streets. In no case shall the name of the proposed street duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix street, avenue, boulevard, drive, place, court, etc.

G. Streets shall be bordered by sidewalks on both sides, except as permitted in Article 12.6(C.1)

H. Streets shall be landscaped with trees. Commercial streets shall have trees which compliment the face of the buildings which shade the sidewalk. Residential streets shall provide for an appropriate canopy, which shades both the street and sidewalk, and serves as a visual buffer between the street and the home.

12.5 Street Types

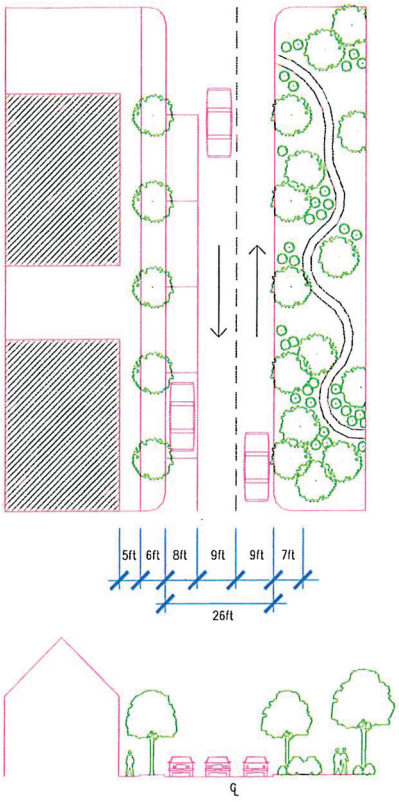
Street designs shall permit the comfortable use of the street by cars, bicyclists, and pedestrians. Pavement widths, design speeds, and the number of vehicle lanes should be minimized without compromising safety. The specific design of any given street must consider the building types which front on the street and the relationship of the street to the Town's street network.

Minor variations and exceptions to street cross-sections may be permitted with approval by the Administrator or the Planning Board following a review and recommendation from the Town's consulting engineer. Such exceptions include variations to the pavement width, tree planting areas, street grade, and centerline radii in accordance with principles above. Right-of-way widths should be preserved for continuity.

In lieu of using the NCDOT Standards, the Town may permit the use of the following standards in accordance with the street hierarchy detailed as follows:

G. PARKSIDE DRIVE
42-50 ft ROW

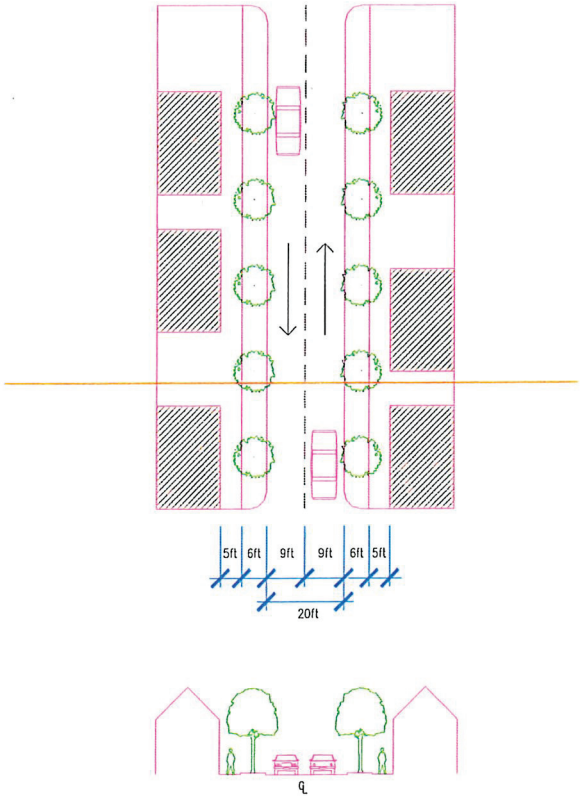
The drive defines the natural edge between an urban and a natural condition, usually along a waterfront, a park, or a greenbelt. One side of the drive has the urban character of a main street with sidewalk, parallel parking, and buildings, while the other has the natural qualities of a rural road with naturalistic plantings and rural detailing.



Design Speed	20 mph
Min. Centerline Radius	50-90 ft
Pavement Width (F-F)	26 ft
ROW Width	42-50 ft
Curb Radius	15 ft
Drainage	Curb & Gutter / Open Swale
On Street Parking	Yes (Expected but not marked)
Street Trees	Yes (One Side)
Sidewalks	Yes (One Side)

H. MINOR STREET **
40-50 ft ROW

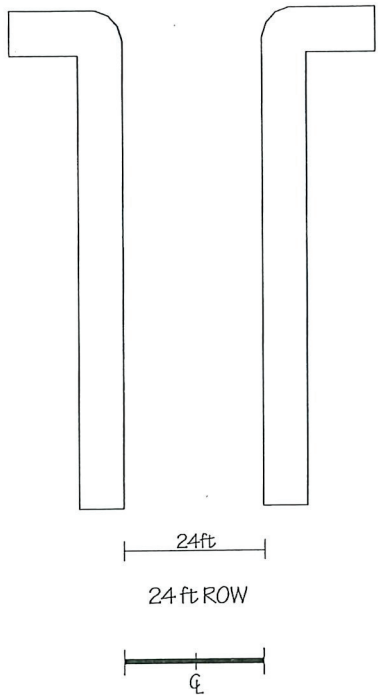
The minor street is a small-scale, low-speed connector. It serves low-density residential buildings which accommodate all parking on-site. A minor street tends to be more rural in character with rolled curbs, open or closed drainage, narrow sidewalks, continuous plantings, and buildings set way back though this condition may also be appropriate for short urban blocks where on-street parking is not expected. ** This street type shall be permitted only in developments consisting of 20 or fewer lots/units and in larger developments where roads are to remain private.



Design Speed	15 mph
Min. Centerline Radius	50-90 ft
Pavement Width (F-F)	18-24 ft
ROW Width	40-50 ft
Curb Radius	15 ft
Drainage	Curb & Gutter / Open Swale
On Street Parking	Yes (One way streets only)
Street Trees	Yes
Sidewalks	Yes

I. PRIVATE REAR ALLEY
24 ft ROW

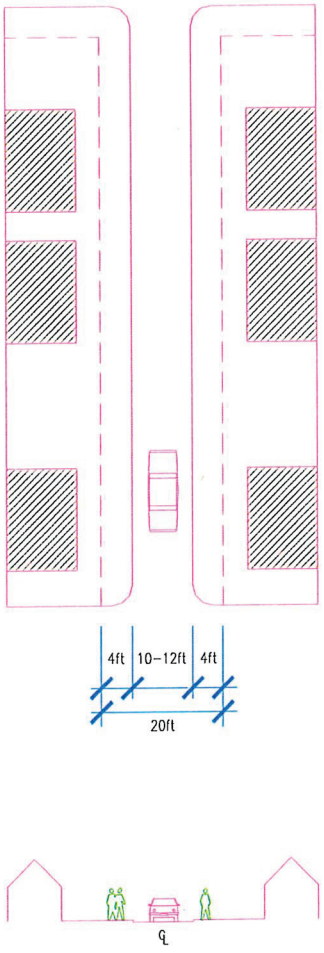
The alley is a narrow access route which services the rear of buildings on a street. Alleys have no sidewalks, landscaping or building setbacks. Alleys are used by trucks and must accommodate dumpsters. They are usually paved to the edges, with center drainage via an inverted crown.



Design Speed	N/A
Min. Centerline Radius	N/A
Pavement Width	24 ft
ROW Width	24 ft
Curb Radius	5 ft
Drainage	Curb & Gutter
On Street Parking	Yes
Street Trees	No
Sidewalks	No

J. PRIVATE REAR LANE
20 ft ROW

The rear lane is a narrow access route behind neighborhood streets. Lanes generally have a narrow strip of paving in the center and serve as areas for underground utilities.



Design Speed	N/A
Min. Centerline Radius	N/A
Pavement Width	10-12 ft
ROW Width	20 ft
Curb Radius	20 ft
Drainage	Open Swale / Closed Inverts
On Street Parking	N/A
Street Trees	No
Sidewalks	No

12.6 Specific Development Standards

A. Trees

All street trees shall be installed in accordance American Association of Nurseryman standards. Large canopy trees shall be planted in a planting strip at a minimum average distance of 40 feet on-center.

B. Street Markers and Traffic Control Signs

All street markers and traffic control signs posted in accordance with the Manual of Uniform Traffic Control Devices shall be installed by the developer prior to the issuance of any certificates of occupancy for any building on that street.

C. Sidewalks & Greenways

The purpose of the sidewalk regulation is to create attractive neighborhoods that are safe for pedestrians and to facilitate pedestrian connections that link neighborhoods to the Town's Transportation Plan and Greenway Master Plan.

1. The developer of any new construction with new or existing street frontage shall provide a network of sidewalk or greenway trails to serve all lots associated with the development. The total length of these facilities shall be equal or greater to the linear roadway frontage for all such lots abutting a roadway (new or existing). These sidewalks or greenway trails shall be constructed to the minimum specifications of this section.

2. In cases where required sidewalk is potentially unsafe or impractical, the developer may request consideration from the Town for approval of payment of the financial equivalent (or "fee-in-lieu-of") for the required sidewalks.

    a. Upon such approval by the Planning Board, the developer would then be required to pay the financial equivalent to the Town in order to develop sidewalks along other streets with pedestrian needs (as identified in the Town's Transportation Plan where possible) or greenways in accordance with the Town's Greenway Master Plan (subject to availability of easements for such trails).

    b. The estimated costs of these sidewalks shall be provided by the project engineer and must include an itemized list (signed and sealed) outlaying project costs that include design, staging, mobilization, labor, and materials. This list will then be reviewed by ~~a Town-contracted~~ the Town's consulting engineer, after which, the item will be placed on the next Planning Board agenda. The developer shall be responsible for the cost of review by the Town-contracted engineer.

    c. The financial sum paid to the Town shall be placed in a restricted fund that will be reserved for construction of sidewalks and/or greenways.

    d. If approved, the fee would be paid prior to issuance of the Certificate of Occupancy (C/O) for the development.

e. If approved, the developer will also ensure that adequate right of way is provided ensuring that a sidewalk could be installed in the future.

f. No variances to this section shall be permitted.

3. **Design Standards**

a. The location and specifications of sidewalks shall be shown on site development and grading plans for a new structure under consideration by the building official for issuance of a building permit, and the same shall be approved by the Administrator prior to issuance of a building permit.

b. Whenever practical, the construction of a sidewalk shall be on a line parallel with the edge of the public right-of-way of a street, highway or road, and that the edge of a sidewalk will be separated from the curb or street edge by a planting strip in accordance with E below.

c. Sidewalks shall be constructed ~~of four (4) inch thick, three thousand (3,000) pound per square inch Portland cement concrete poured on a compacted base~~ in accordance with NCDOT standards. Sidewalks shall be a minimum of four (4) feet in width within subdivisions, a minimum of five (5) feet in width on adjacent or arterial roads, and a minimum of ten (10) feet where a proposed sidewalk adjacent to a road overlaps the Town's approved Greenway Master Plan. Alternative sidewalk design and construction standards may be submitted to the Administrator for review by the Town's consulting engineer for approval. Such alternative designs are subject to approval by the final approving body.

d. Sidewalks shall be installed with a maximum cross slope of 2% toward the center of the right-of-way and constructed to the grades specified by ~~an~~ the project engineer. The project engineer shall provide the Administrator a detailed grading plan with an appropriate level of spot elevations to demonstrate the proposed sidewalk, handicap ramps, and cross walks follow the most recent Americans with Disabilities Act standards at the time of design. This shall be reviewed and approved by the Town's consulting engineer. Portions of sidewalks crossed by driveways shall be a minimum of six (6) inches in thickness. Contraction joints shall be spaced every five (5) feet and expansion joints shall be spaced every forty (40) feet. One-half inch thick, six (6) inch wide expansion joints shall be constructed where a sidewalk touches a street.

e. Minor sidewalk repairs which do not exceed one square foot in any single place or ten (10) square feet in total combined area adjacent to a lot or premises may be performed by the Town of Fletcher, the property owner or his contractor without the necessity of obtaining a permit.

f. Where a driveway crosses a sidewalk, appropriate ramps and flares shall be installed to avoid changes in cross slope on the sidewalk. Wheelchair users and pedestrians are more prone to stumble or fall on surfaces with

5. Proper sight lines shall be maintained at all intersections of streets to permit adequate sight distance. See Section 4.5 for sight distance requirements.

6. Bulb-outs are discouraged on narrow streets (less than 30 feet face-of-curb to face-of-curb) but encouraged on wider streets.

7. Where a street intersects a state highway, the design standards of the State Department of Transportation shall apply.

H. Curb Radii

Curb radii shall be designed to reduce pedestrian crossing times along all streets requiring sidewalks. In general, curb radii should not exceed 20 feet except along NCDOT-maintained roads.

I. Utility Location

Underground utilities should be located in alleys and lanes. If no alley or lane is provided, then a 5-foot (minimum) utility easement shall be provided behind the sidewalk located within either the right-of-way or a public utility easement.

J. Easements

Utility and other easements shall be provided as follows:

1. Utility easements, as necessary, shall be determined by the developer or utility provider.

2. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width or construction, or both, as may be adequate for the purpose of drainage.

3. Lakes, ponds, creeks, and similar areas within a subdivision will not be accepted for maintenance by the Town Council.

K. Curbs and Drainage

Curbs shall be constructed in accordance with the following standards:

1. All curbs shall be constructed in accordance with the design and construction standards of the most current NCDOT "Subdivision Roads-Minimum Construction Standards" Manual. Alternative curb & gutter design and construction standards may be submitted to the Administrator for review by the Town's consulting engineer for approval. Such alternative designs are subject to approval by the final approving body.

2. Drainage shall be provided using curb and gutter piped systems along all streets unless specific approval for use of open swales is granted by the appropriate review board.

3. All drainage grates must be safe for bicyclists, with slots running perpendicular or diagonal to the direction of travel. Bicycle-safe drainage grates are Types E, F, and G as approved by the NCDOT.

L. Centerline Radius

A 90 foot minimum centerline radius between reverse curves shall be used for Local Streets, Parkside Drives, and Minor Streets though they may be reduced to 45 feet for design speeds less than 20 mph. All other streets shall be in accordance with AASHTO standards.

M. Street Lights

Street lights shall be installed by the developer on all streets in accordance with Article 10.

12.7 Storm Water Drainage

A. Each proposed development shall meet the storm water criteria of Sections 6.4 (Stormwater Runoff) and 6.5 (Water Quality Protection.

B. All developments and subdivision projects must comply with the North Carolina Sedimentation Pollution Control Act and all attendant regulations.

12.8 Water and Sewer Systems

A. The preliminary subdivision plat must be accompanied by satisfactory evidence as to the proposed method and system of water supply and sanitary sewage collection and disposal. Connections to public water and sewer systems within 500 feet (if there are existing lines for new subdivisions) is mandatory. Where feasible, connections shall be made to the water system owned by the City of Hendersonville and the sewer system owned by the ~~Cane Creek Sanitary District~~ Metropolitan Sewage District of Buncombe County. The installation and closeout of all said systems except wells or septic tanks serving only one connection shall be required prior to final plat approval. Said systems may be owned and operated by a public or private entity. Any well or septic tank serving only one connection shall be approved by the Henderson County Health Department. For all new systems or expansion of existing systems serving two or more connections, approval shall be according to state statutes.

B. The preliminary plat shall be accompanied by written assurance from the developer that plans for said new or expansion of existing systems will be submitted to the appropriate state and/or local agencies. The final plat shall be accompanied by written approval of the installation of said systems by the appropriate state and/or local agencies.

12.9 Improvement Guarantees

Upon approval of the preliminary plat by the Planning Board, or of the Planned Residential Development by the Town Council, the developer may proceed with preparation of the final plat and the installation of roads, utilities, and other improvements as specified in the approved preliminary plat or site plan.