Article 12. INFRASTRUCTURE IMPROVEMENT REQUIREMENTS

12.1 General Provisions

It is hereby declared to be the policy of the Town of Fletcher that the subdivision and development of land shall be guided and regulated in such a manner as to meet the following requirements for orderly and harmonious growth:

A. Land to be subdivided shall be of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise, air and/or water pollution, or other menace. Proper provisions shall be made for drainage, water supply, sewerage, and other appropriate utility services.

B. The proposed streets shall provide a safe, convenient and functional system for vehicular circulation and shall be properly related to the land use plan of the area. Streets shall be of such width, grade, and location as to accommodate prospective traffic, as determined by existing and probable future land uses. Streets shall be detailed to compliment neighborhoods and commercial centers and shall be pedestrian in scale.

C. Buildings, lots, blocks, and streets shall be so arranged as to afford adequate light, view, and air, and to facilitate fire protection.

D. Land shall be subdivided and developed with due regard to topography so that the natural beauty of the land and vegetation shall be protected and enhanced.

12.2 Required Improvements for all Development Plans

A. Water Supply Distribution and Fire Hydrants

B. Sanitary Sewer

C. Public Streets (Paved) and other Public Rights-of-Way

D. Utility Easements

E. Sidewalks

F. Curb and Gutter

G. Street Lights

H. Underground Wiring

I. Dedicated Open Space

J. Landscaping

K. Storm Drainage Systems

12.3 Access to Subdivided Lots

A. All lots shall front upon a street built in accordance with this Article~~.~~, except in instances where a family subdivision (as defined in Article 18) is permitted.

B. Landlocked lots shall be prohibited; however, rear lots may be created if access to the public street is provided in the form of a flag strip of land with a minimum width of 25 feet and a maximum length of 250 feet~~.~~, or in instances where Family Subdivision is permitted (as defined in Article 18).

C. Within any subdivision, no driveway shall be allowed to provide access to more than two (2) lots~~.~~ , except in Family Subdivisions (as defined in Article 18).

D. In a Minor Subdivision (as defined in Article 18), access to newly-created lots shall be provided as follows:

- 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 (including the resulting parent parcel): 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)
  - by a privately deeded/platted right of way or easement in instances where Family Subdivision (as defined in Article 18) is permitted.

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.

Encroachments: Any portion of a structure or appurtenance extending beyond a designated zoning setback, easement, property line, or public right-of-way. Also includes developments or advancement of use into a floodplain, which may impede or alter the flow capacity of a floodplain.

Entrance, Primary: The principal, functional doorway for public or direct-entry access into a building.

Environmentally Sensitive Area: An area with one or more of the following environmental characteristics: steep slopes, flood plain, soils classified as having high water tables, soils classified as highly erodible, subject to erosion, or highly acidic, land incapable of meeting percolation requirements, stream corridors, mature stands of native vegetation, springs or aquifer recharge and discharge areas, wetlands and wetland transition areas, or habitats of endangered species.

Existing Development: Structures, buildings, site specific plan or other projects that are completely built or that at a minimum have established a vested right as of the effective date of this Code based on at least one of the following being satisfactorily proven to the Planning Department for the specific development in question:

(1) Substantial expenditures of resources (time, labor, money) based on a good faith reliance upon having received a valid local government approval to proceed with the development, or

(2) Having an outstanding valid building permit as authorized by the General Statutes (G.S. 153A-344.1 and G.S. 160D-108), or

(3) Having an approved site specific or phased development plan as authorized by the General Statutes (G.S. 153A-344.1 and G.S. 160D-108).

Existing Construction/Structure: For the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. Existing construction may also be referred to as "existing structures."

Existing Lot (Lot of Record): A lot which is part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds prior to the adoption of this Code, or a lot described by metes and bounds, the description of which has been so recorded prior to the adoption of the Land Development Code.

Expansion: An increase in the size of an existing structure or use, including physical size of the property, building, parking, and other improvements or structures.

Extraterritorial Jurisdiction (ETJ): The area outside municipal limits where the Town of Fletcher exercises planning, zoning, and subdivision powers.

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FAA: The Federal Aviation Administration.

Façade: The vertical surface of a building which is set along a frontage line. The elevation of a facade is the vertical surface area. Facades are subject to visual definition by building height, setback lines, recess lines (a line prescribed for the full width of the facade above which the facade sets back, the location of which is determined by the desired height to width ratio of the enfronting space or by a desired compatibility with existing buildings), and transition lines (a line prescribed for the full width of the facade expressed by a variation of material or by a limited projection such as a cornice or balcony).

Family: An individual, or two or more persons related by blood, marriage, or adoption living together as a single housekeeping unit; or a group of not more than five persons not related by blood, marriage, or adoption living together as a single housekeeping unit, as in a group home.

Family Care Home (6 or fewer residents): A home with support and supervisory personnel that provides room and board, personal care and rehabilitation services in a family environment for not more than six resident handicapped persons. *(NCGS 160D-907)*

Family Subdivision: a division of a tract of land to convey the resulting parcels, with the exception of parcels retained by the grantor, to a relative or relatives.

Farm, Bona Fide: The raising of crops or livestock, including orchards, vineyards, or nurseries, along with any buildings or structures necessary to conduct such activities. Agricultural activities as set forth in G.S. 160D-903.