

CITY OF CLAREMONT  
NORTH CAROLINA

ORDINANCE #10-16

AN ORDINANCE TO AMEND TO THE CODE OF ORDINANCES  
OF THE CITY OF CLAREMONT

WHEREAS, the City of Claremont's Code of Ordinance contains various design specifications throughout the Code; and

WHEREAS, the City has reviewed and updated one consistent set of standard specifications; and

WHEREAS, Council has adopted standard specifications for the sanitary sewer system, water distribution system, storm water drainage, and streets and sidewalks; and

WHEREAS, changes to the Code of Ordinances removing specific design criteria and referencing them to the Standard Specifications is needed; and

WHEREAS, City Council has conducted a public hearing to consider comments relative to the proposed amendments; and

WHEREAS, notification of the public hearing was duly published.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLAREMONT,

That Title Four (4) Section 4-1-7, Title Five (5) Section 5-14, and Title Nine (9) Sections 9-4-50, 9-4-54, 9-4-59 thru 9-4-63, and 9-4-65 are hereby amended by changing the following (new language appears as underlined; deleted language and/or deleted sections appear as "strike-throughs"):

**Sec. 4-1-7 Specifications.**

All street improvements shall be constructed in accordance with specifications of the city and the North Carolina Department of Transportation. All work shall be supervised by the appropriate city personnel. (Ord, of 11/ 1/76. Sec. 8)

**Sec. 5-1-4 Construction materials.**

- (a) Minimum standards. Installation of water and sewer facilities shall be in compliance with the City's adopted Standard Specifications, as well as the requirements of state and federal law and agency regulations, including, but not limited to, the North Carolina Building Code, the North Carolina Plumbing Code,

requirements of the Division of Health Services and the Environmental Management Commission. In the event of a conflict between this chapter and such requirements, the more stringent shall apply

(b) Approval and inspection. All water and sewer installations shall be subject to inspection by the city. In the event of discovery of any nonconformity with this chapter or any other applicable ordinance or regulation, compliance may be required before approval is rendered by the city.

Subsections (c) – (e) are repealed.

~~(c) Water system materials.~~

~~(1) Specifications:~~

~~a. A short brass corporation cock shall be installed at the water meter and galvanized, wrought iron pipe, or copper tubing used to the meter box. A brass cock and meter box shall be placed in the sidewalk space. The tap shall be made in the center of the upper quarter of the main nearest to the property to be connected, using not less than five-eighth (5/8) inch corporation cock and gooseneck, and not less than three-fourth (3/4) inch galvanized wrought iron or copper tubing pipe and three-fourth (3/4) inch cock at the curb line. The cock in the meter box shall be placed on the pipe just inside the meter box, then an elbow and meter connection with a union, (then another elbow; the distance between elbows to be sufficient for proper settling of the meter.~~

~~b. In all areas and locations where water pressure exceeds 100 pounds per square inch the property owner shall provide such pressure regulating valves as may be necessary to reduce the pressure in the piping system on his property to a safe level. It is recommended, but not required, that such pressure regulating valves be installed where water pressures exceed 75 pounds per square inch. However, the city shall not be responsible for damage due to "excessive" system pressure.~~

~~(2) Pipe. All major transmission mains shall be constructed of cast iron or ductile iron. AC, plastic, or other materials may be used in subdivisions or areas of light traffic, upon approval by the city. The minimum size for transmission pipe shall be 12 inches in diameter. Minimum design working pressure for any water pipe system shall be 150 pounds per square inch.~~

~~(3) Meters. All meters shall be of a type and construction approved by the city.~~

~~(d) Sewer pipe. Cast iron, vitrified clay, or plastic pipe may be used, as determined by the specific job. The city shall have final authority in material selection, based on recommendations by the city engineer. The minimum size of sewer pipe line shall be eight (8) inches in diameter.~~

~~(e) Storm drainage pipe. Corrugated metal, asbestos cement, or plastic pipes may be used as determined by the job. The city shall have final authority. The minimum size of storm drainage pipe shall be 18 inches in diameter. (Ord. of 4/5/77, Div. IV, Arts. I through 5)~~

#### **Sec. 9-4-50 Major subdivision types.**

Each major subdivision shall contain the improvements specified in this article, which shall be installed in accordance with the requirements of this chapter and paid for by the subdivider, unless other means of financing is specifically stated in this chapter. Land shall be dedicated and reserved in each major subdivision as specified in this article. Each

major subdivision shall adhere to the minimum standards of design established by this article.

(a) Conservation Subdivision: Conservation subdivisions are permitted only in the R-2 Residential Agriculture zoning district. The purpose is to preserve agriculture and forestry lands, natural and cultural features, and rural community character that might be lost through conventional development approaches. To accomplish this goal, greater flexibility and creativity in the design of such developments is encouraged and required. Conservation subdivisions are subject to all requirements of this ordinance, including this article. However, components of this article may be modified to meet the following design standards:

(1) Open Space: Each conservation subdivision shall reserve a minimum of 40% of the total property for open space: This does not include lots that will be built upon, but requires a separate parcel designated for open space. This open space may consist of the conservation areas listed in subsection b. below, or other forms of passive space such as greenways or trails. Natural features shall be maintained in their natural condition, but may be modified to improve their appearance, functioning, or overall condition, as recommended by experts in the particular area being modified. Permitted modifications may include:

- a. Reforestation;
- b. Pasture or cropland management;
- c. Buffer area landscaping; and/or
- d. Stream bank protection/restoration.
- e. Each new area of open space shall be consciously designed to adjoin each other whenever possible to form a network of open space throughout the property being subdivided as well as adjacent properties. Unless accepted for dedication or otherwise agreed to by the city, another unit of local government, the state or a private non-profit land conservancy, the cost and responsibility of maintaining the open space and any facilities located thereon shall be borne by the property owner and/or a homeowners association.

(2) Conservation: The following natural and cultural resources shall be accurately portrayed on the preliminary and final plat and shall, as the highest priority areas to be used for open space, be preserved and protected whenever possible:

- a. Productive agricultural and forestry soils;
- b. Floodplains (100-year) identified by a Flood Insurance Rate Map;
- c. Steep slopes (> 25%);
- d. Significant wildlife habitat;
- e. Historic and archaeological sites including, but not limited to, those listed on the National Register of Historic Places, the State's National Register study list, or any site locally designated as a historic landmark or district; and
- f. Scenic views, especially of natural and cultural features, including views from the road as well as views outward from potential home sites.

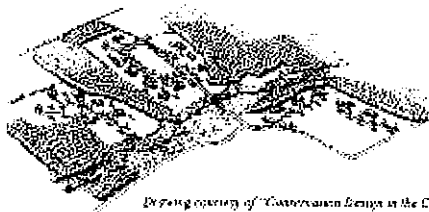
(3) Streets: Streets shall be built in accordance with the City's adopted Standard Specifications and shall be aligned to provide vehicular access to each house in the most reasonable and economical manner. Lots and streets shall be aligned to avoid, or at least minimize, impacts on conservation areas. Street connections are encouraged to minimize the number of cul-de-sacs. Cul-de-sacs serving more than six homes shall be designed

with a central island containing indigenous trees and shrubs. Single-loaded streets (homes only on one side) are encouraged to maximize open space views for new homes.

(4) Sidewalks and trails: Sidewalks in conservation subdivisions must be at least five feet wide and must conform to the City's Standard Specifications. ~~may consist of a two inch layer of asphalt, concrete, or similar durable, smooth surface material.~~ Formal and informal trails can be made of a variety of materials and shall be appropriately designed to fit within the type of open space they access. Sidewalks and trails shall connect whenever possible to maximize the network of pedestrian facilities. Additionally, trails shall link to existing trails or other pedestrian facilities on adjacent properties whenever possible.

(5) Clustering: Clustering of homes on smaller lots is encouraged to maximize the conservation of natural and cultural resources. Lots in conservation subdivisions may be smaller than the minimum lot sizes established in the Zoning Ordinance, provided the subdivision's overall average lot size meets the Zoning Ordinance requirements.

(6) Stormwater: Stormwater runoff, drainage, retention and filtration shall be managed through natural systems to ensure adequate groundwater recharge and should be in accordance with the City's Standard Specifications. These systems may include, but are not limited to, ditches, swales and naturally vegetated retention areas.



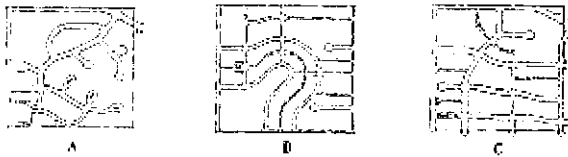
Design covering of "Conservation Design in the Chiquaque Bay"

) Urban Subdivision: Urban subdivisions are permitted in every zoning district except R-2 Residential Agriculture and shall meet all requirements of this article. The purpose is to ensure that new subdivisions in the more urbanized areas of the city create sustainable neighborhoods with a clear sense of community and place.

(Ord. of 4-6-92, No. 190-92; Ord. of 3-6-06, No. 5-06)

#### **Sec. 9-4-54 Type of street required.**

(a) All streets shall be designed, within the natural limitations of the land, to form part of an interconnected street pattern (see below).



A A common subdivision showing a poor street layout due to few connections and many dead ends.

B & C Better street layouts showing multiple links and a gridded network of streets.

(b) All subdivision lots shall abut on a public street.

(c) All public streets shall be built in accordance with the City's standard specifications ~~to the standards of this chapter and all other applicable standards of the city~~

and the North Carolina Department of Transportation specifications.

(d) Public streets not dedicated to the city 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 chapter, whichever is stricter, in regard to each particular item and shall be put on such system.

(e) Streets not dedicated to the city 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 in this chapter or 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.

(f) A written maintenance agreement with provisions for maintenance of the street until it is accepted by the city or is put on the state system shall be included with the final plat.

(Ord. of 4-6-92, No. 190-92; Ord. of 3-6-06, No. 5-06)

**Sec. 9-4-59 Nonresidential streets.**

The subdivider of a nonresidential subdivision shall provide streets in accordance with the City's standard specifications and the North Carolina Department of Transportation, Division of Highways' subdivision Roads Minimum Construction Standards, July 1, 1985, as amended, ~~and the standards in this chapter~~, whichever are stricter in regard to each particular item. Cross-access between adjacent commercial subdivisions, existing and new, is strongly encouraged wherever possible.

(Ord. of 4-6-92, No. 190-92; Ord. of 3-6-06, No. 5-06)

**Sec. 9-4-60 Design standards of streets.**

The design of all streets and roads within the jurisdiction of this chapter shall be in accordance with the City's adopted Standard Specifications and accepted policies of the North Carolina Department of Transportation ~~Division of Highways, as taken or modified from the American Association of State Highway Officials (AASHO) manuals. The N.C. Department of Transportation, Division of Highways' Subdivision Roads Minimum Construction Standards, July 1, 1985, as amended~~, and shall apply for any items not included in this chapter, or where stricter than this chapter. Curb and gutter, swales, or ditches shall be installed as prescribed by the City's Standard Specifications, in consultation with the City Engineer.

**Sections 9-4-61 through 9-4-62 are repealed in its entirety. Sections 9-4-61 are reserved for future codification.**

**Sect. 9-4-61 Rights-of-way widths.**

~~—(a) 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.~~

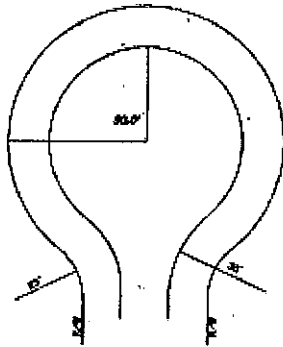
	<b>Minimum Right-of-Way Feet</b>
<del>—(1) Rural</del>	
<del>—(i) Principal Arterial Freeways</del>	350
<del>— Other</del>	200
<del>—(ii) Minor Arterial</del>	100
<del>—(iii) Major Collector</del>	100

—(iv) Minor Collector	60
—(v) Local Road	45

**Minimum Right-of-Way, Feet**

<b>—(2) Urban</b>	
—(i) Major thoroughfare other than freeway and expressway	90
—(ii) Minor thoroughfare	60
—(iii) Neighborhood street	45
—(iv) Cul-de-sac*	

\*The distance from the edge of the pavement of the turnaround to the right-of-way line shall not be less than the distance from the edge of the pavement to the right-of-way line on the street approaching the turnaround, as seen in the example below.



—(b) The subdivider will only be required to dedicate a maximum of 100 feet of right-of-way. In cases where over 100 feet of right-of-way is desired, the subdivider will be required only to reserve the amount in excess of 100 feet. 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.

(Ord. of 4-6-92, No. 190-92; Ord. of 3-6-06, No. 5-06)

**Sec. 9-4-62 Pavement widths.**

—Widths for street and road classifications other than local shall be as required by the thoroughfare plan. Width for local roads and streets shall be as follows:

<b>Road Type</b>	<b>W/Curb and Gutter Feet</b>	<b>W/O Curb and Gutter</b>
—Local residential	26	22 w/6 foot shoulder
—Residential collector	34	curb & gutter required
—Cul-de-sac	60-foot radius	60-foot radius

(Ord. of 4-6-92, No. 190-92; Ord. of 3-6-06, No. 5-06)

**Sec. 9-4-63 Geometric characteristics.**

The standards outlined below shall apply to all subdivision streets proposed for addition

to the state highway system (or municipal street system). In cases where a subdivision is sought adjacent to a proposed thoroughfare corridor, the requirements of dedication and reservation discussed in section 9-4-61(b) shall apply.

(a) Design speeds.

<b>Rural</b>	<b>Desirable Minimums</b>
Major collector roads	55
Local roads including residential collectors and local residential	35
<b>Urban</b>	<b>Desirable Minimums</b>
Major thoroughfares and other than freeway and expressway	60
Minor thoroughfares	45
Neighborhood streets	25

Subsection (b) – (d) are repealed in their entirety and subsection (e) is re-numbered as subsection (b).

~~(b) Maximum and minimum grades.~~

~~(1) The maximum grades in percent shall be:~~

<del>Design Speed</del>	<del>Level</del>	<del>Rolling</del>	<del>Mountainous</del>
<del>60</del>	<del>3</del>	<del>4</del>	<del>6</del>
<del>50</del>	<del>4</del>	<del>5</del>	<del>7</del>
<del>40</del>	<del>5</del>	<del>6</del>	<del>8</del>
<del>30</del>		<del>9</del>	<del>10</del>
<del>20</del>			<del>12</del>

~~(2) A minimum grade for curbed streets normally should not be less than 0.5%, a grade of 0.35% may be allowed where there is a high type pavement accurately crowned and in areas where special drainage conditions may control.~~

~~(3) Grades for 100 feet each way from intersections should not exceed 5%.~~

~~(4) For streets and roads with projected annual average daily traffic less than 250, short grades, less than 500 feet long, may be no greater than 15.0%.~~

~~(e) Sight distance. Sight distance provided for stopped vehicles at intersections should be in accordance with "A Policy on Geometric Design of Rural Highways", and the zoning code for the city.~~

~~(d) Intersections.~~

~~(1) No street shall intersect any other street at an angle less than 90 degrees.~~

~~(2) Property lines at intersections should be set so that the distance from the edge of the pavement, of the street turnout, to the property line will be at least as great as the distance from the edge of pavement to the property line along the intersecting 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, to provide sight distance for the vehicle on the side street.~~

~~(3) Offset intersections are to be avoided unless exception is granted by the Division~~

~~of Highways. Intersections which cannot be aligned should be separated by a minimum length of 200 feet between survey center lines.~~

~~(4) Intersections with arterials, collectors and thoroughfares shall be at least 1000 feet from center line to center line, or more if required by the North Carolina Department of Transportation.~~

(e) (b) Cul-de-sacs.

(1) Permanent deadend streets are prohibited except when required by extreme topography, water or other natural features. When permitted, no dead-end street shall be longer than 500 feet or provide access to more than 12 lots. Measurement shall be from the point where the center line of the deadend street intersects with the center of a through street to the center of the turnaround of the cul-de-sac.

(2) The distance from the edge of pavement on the vehicular turnaround to the right-of-way line shall not be less than the distance from the edge of pavement to right-of-way line on the street approaching the turnaround.

(3) Cul-de-sacs should not be used to avoid connection with an existing street or to avoid the extension of an important street.

(f) 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.

(2) The right-of-way width of an alley shall be 20 feet and the pavement width shall be 12 feet.

(3) Deadend alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the deadend as may be recommended by the Planning Board and approved by the City Council.

(4) Sharp alignment or grade changes shall be avoided.  
(Ord. of 4-6-92, No. 190-92; Ord. of 3-6-06, No. 5-06)

#### **Sec. 9-4-65 Utilities.**

(a) Water and sanitary sewer systems. Each lot in all subdivisions within the corporate limits of the city shall be provided, at the subdivider's expense, with an extension of the municipal water and sanitary sewer systems. Outside the corporate limits, if water and/or sewer systems are in the area of the new subdivision, the proposed subdivision must use these facilities, whichever is available. If these facilities are not available, then well and/or septic systems may be used.

(b) Storm water drainage system. The subdivider shall provide a surface water drainage system constructed to the City's Standard Specifications standards of the North Carolina Department of Transportation, as reflected in Handbook for the Design of Highway Surface Drainage Structures, 1973), subject to review by the City Engineer.

(1) No surface water shall be channeled or directed into a sanitary sewer.

(2) Where feasible, the subdivider shall connect to an existing storm water drainage system.

(3) Where an existing storm water drainage system cannot feasibly be extended to the subdivision, a surface drainage system shall be designed to protect the proposed development from water damage.



(4) ) Surface drainage courses shall have side slopes of at least three feet of horizontal distance for each one foot of vertical distance, and courses shall be of sufficient size to accommodate the drainage area without flooding, and designed to comply with the standards and specifications for erosion control of the North Carolina Sedimentation Pollution Control Act, G.S. 143-34.12, Chapter 113A, Article 4 and the N.C. Administrative Code Title 15, Chapter 4, and any locally adopted erosion and sedimentation control ordinances.

(5) The minimum grade along the bottom of a surface drainage course shall be a vertical fall of at least one foot in each 200 feet of horizontal distance.-

(6) Streambanks and channels downstream from any land disturbing activity shall be protected from increased degradation from accelerated erosion caused by increased velocity of runoff from the land disturbing activity in accordance with the North Carolina Sedimentation Pollution Control Act, G.S. 143-34.12, Chapter 113A, Article 4 and the North Carolina Administrative Code Title 15, Chapter 4.


(7) Anyone constructing a dam or impoundment within the subdivision must comply with the North Carolina Administrative Code Title 15, Subchapter 2 K.

(8) In all areas of special flood hazards, all subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

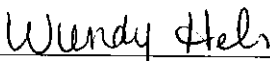
(9) Where feasible, other utilities, including electric and telephone lines, must be located underground and avoid mature tree root systems. If there are topographic or geologic hindrances to placing these utilities underground, then in accordance with Section 9-4-64-7 of this chapter, overhead utility poles may be used. The subdivider must provide factual evidence to the City Planner before receiving permission to use overhead utilities.

(Ord. of 3-6-06, No. 5-06)

Adopted this the 7<sup>th</sup> day of November, 2016.

  
Shawn Brown, Mayor

ATTEST:

  
Wendy Helms, City Clerk