APPLICATION FOR TEXT AMENDMENT

CITY OF MOUNT HOLLY, NORTH CAROLINA

Date Filed: **8-27-26** Application Number: **TA-26-8**

I, the undersigned, do hereby respectfully make a formal application for your review of my request concerning the text amendment described below:

1. The amendment is found in the City of Mount Holly Subdivision Ordinance relating to:
   Amend Section 153.055 of the Subdivision and Land Development Ordinance.

2. The following statement best describes what you would like the text amendment to reflect:
   This proposed amendment submitted by staff would amend Section 153.055 of the Subdivision and Land Development Ordinance to establish standards regarding access easements

3. Name: **Ernie Wilson, Planning Technician**

   Address: **400 E. Central Avenue, Mount Holly, NC 28120.**

704-616-4758
Phone Number

Ernie Wilson
Signature of Applicant

INSTRUCTIONS: Applications must be TYPED or LEGIBLE and filed with the City of Mount Holly Planning and Zoning Department, together with the application fee in the amount of **~~$250.00~~ (See Fee Schedule)** at least 30 days prior to the Planning Commission meeting for initial consideration

Proposed Redlines

Subdivision and Land Development Ordinance

§ 153.055 EASEMENTS.

(A) To provide for electric, telephone and gas service, community antenna television distribution systems, water and sewer lines, and other such facilities within the subdivision, appropriate utility easements not to exceed 30 feet shall be provided on the final plat. The locations of such easements shall be determined by the Subdivision Administrator and based upon the approved construction plans. All utilities shall be placed underground. In addition, storm drainage easements may be required in order to carry out the storm drainage improvements as required in the Land Development Guidelines.

(B) Maintenance easements may be required depending upon the size of the drainage way and the maintenance responsibility as determined by the city.

(C) In any case where maintenance is to be the responsibility of the property owner, the city may require a right to enter for maintenance purposes where the City Council determines that the public health, safety or general welfare constitutes a public necessity for such maintenance.

(D) Storm drainage easements must encircle the water quality facility/SCM and/or SWM facility. Easement must be shown ten feet from the top of the berm of the facility or ten feet from the toe of the slope for the facility's embankment, whichever is greater. A storm drainage easement must be shown for any pipe system or channel leading to or draining from the facility.

(E) A minimum 15-foot wide SCM maintenance access easement must be shown from the street right-of-way to the SCM facility.

(F) All SCM and/or SWM devices shall be maintained by the property owner or homeowner's association. The devices shall be inspected and maintained by the developer/owner/HOA in accordance with the approved design plans. Costs for maintenance and repairs shall be borne by the property owner or homeowner's association.

(G) All storm drainage easements beyond the public road right-of-way shall be shown on the construction plans and labeled, "Private Storm Drainage Easement". Easement width shall be 20 feet minimum, unless otherwise approved by the city. Larger pipes may require wider easements.

(H) Developments that have an existing or proposed easement that aligns with a planned greenway and is to be constructed as part of the project shall provide easement language allowing for a public greenway access in addition to the maintenance of public utilities. Even if the greenway is not required to be built as part of the approval process, the easement language shall reflect that a public greenway would be permitted within the sewer easement.

(I) Provisions for existing landlocked lots**.** Existing landlocked lots within a residential zoning district, defined as lots that do not abut a public street and therefore do not meet the minimum street-frontage requirement of the applicable zoning district, may be developed with one single-family dwelling unit if the lot otherwise meets all applicable zoning requirements and has a recorded easement of ingress and egress to and from a public street that is associated with the lot and meets the following requirements:

(1) The private access easement shall have a minimum continuous width of 25 feet.

(2) An easement less than 25 feet wide may be approved by the Fire Marshal where a 25-foot-wide easement would create a nonconformity or is impracticable because of existing buildings, property boundaries, topography, or other existing conditions. Existing easements established before the adoption of this division that are less than 25 feet wide may also be used to access a landlocked lot, provided the easement connects to a public street and provides adequate emergency access, as determined by the Fire Marshal.

(3) An easement less than 25 feet wide shall not exceed 300 feet in length and shall provide adequate access for emergency vehicles.

(4) The recorded easement documents shall provide public-service, utility and emergency personnel and vehicles with the right of ingress and egress to and from the landlocked property.

(5) The recorded documents shall permit water, sewer, electric, telephone, cable, gas and other utilities to be located within the easement.

(6) The recorded documents shall include a maintenance agreement identifying the party responsible for maintaining the easement and its traveled surface.

(7) The easement shall contain and maintain an all-weather travel surface of gravel, concrete or asphalt with a minimum continuous width of ten feet.

(8) A landlocked lot developed under this division shall not be further subdivided unless access is provided by a public or approved private street constructed in accordance with City standards.