

MAJOR SUBDIVISION APPLICATION

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7013--- fax (828) 645-4776 --- tgupton@weavervillenc.org

Fee: \$300.00 + \$25.00 per lot

APPLICATION DATE:

OWNER NAME:

SUBDIVISION NAME:

PROPERTY ADDRESS:

PIN:

DEED BOOK/PAGE:

ORIGINAL TRACT SIZE (acres):

PROPOSED NUMBER OF LOTS:

SUBDIVISION TYPE: RESIDENTIAL COMMERCIAL INDUSTRIAL

OWNER/AGENT NAME:
ADDRESS:

PHONE NUMBER:

REGISTERED SURVEYOR:
ADDRESS:

PHONE NUMBER:

REGISTERED ENGINEER:
ADDRESS:

PHONE NUMBER:

Which utilities will serve the proposed development?:

PUBLIC SANITARY SEWER COMMUNITY SEWER SEPTIC TANKS ON EACH LOT
 PUBLIC WATER COMMUNITY WATER WELLS ON EACH LOT

It is the applicant's responsibility to obtain a copy of the Town of Weaverville Subdivision Ordinance and Zoning Ordinance and to be fully aware of the regulations detailed therein.

I certify that the above information is accurate and true and that I am the owner or a duly appointed agent of the owner. I understand that a copy of the recorded plat must be submitted to the Zoning Department prior to the issuance of any permits associated with this subdivision.

SIGNATURE OF APPLICANT

DATE

OFFICE USE ONLY

FEE: _____ DATE PAID: _____ CHECK CASH
PRELIMINARY PLAT APPROVAL DATE: _____ FINAL PLAT APPROVAL DATE: _____

APPROVED WITH CONDITIONS:

MAJOR SUBDIVISION PLAT REQUIREMENTS

All applications for major subdivisions (including preliminary and final plats) should be submitted to the Town of Weaverville Planning and Zoning Administrator.

In order to be considered for the next regularly scheduled meeting of the Planning and Zoning Board, complete applications must be submitted no fewer than ten (10) days business days before the meeting. Eight (8) copies of the plat shall be submitted.

Preliminary and Final plats submitted for consideration must contain the following:

Title Block containing:	
	Name of subdivision
	Name of Owner and Subdivider or Developer
	Zoning designation of property
	Location: (address, township, county, state)
	Buncombe County tax PIN
	Date or dates survey was conducted and plat was prepared
	Scale of the drawing in feet per inch listed in words or figures
	Sketch vicinity map depicting the relationship between the proposed subdivision and the surrounding area on a scale of one inch equals 500 feet
	North Arrow and orientation
	Acreage of total tract to be subdivided
	Number of parcels/lots to be created
	Corporate line limits, township boundary lines, county lines if any such lines intersect the subdivision tract
	Names, addresses, telephone numbers of all owners, registered surveyors, professional engineers, architects, and landscape architects responsible for the subdivision. Include registration number and seals for engineers and surveyors
	Exact exterior boundary lines of the tract in metes and bounds, and the location of existing boundary lines of adjoining tracts
	Names of owners of adjoining properties and zoning designation
	Names of any adjoining subdivisions of record or proposed
	Utility easements
	Existing and proposed trails, pedestrian or bicycle paths
	Existing and proposed parks and recreation areas with specific type indicated
	School sites
	Areas to be dedicated to or reserved for any other public use
	Future ownership of recreation or other open space lands
	Sanitary sewer system layout, prepared by a professional engineer
	Stormwater system layout prepared by a professional engineer
	Other drainage facilities, if any, prepared by a professional engineer, but excluding incidental drainage
	Water distribution system layout, prepared by a professional engineer illustrating connections to existing systems, line sizes, location of fire hydrants, blow-offs, pumps, and gate valves
	Plans for individual water supply and sewerage disposal system, if any
	A statement as to whether or not natural gas, telephone, electric, and cable lines are to be installed (underground installation required – see §25-112)
	Profiles based upon mean sea level datum for sanitary sewer, stormwater, and water distribution lines
	Existing and proposed natural buffers
	Existing and proposed roads, driveways, easements, and rights-of-way both private and public
	Existing and proposed encroachments into setbacks, rights-of-way, and/or easements, if any

Lighting Plan (if outdoor lighting to be installed) – refer to §36-26 of Zoning Ordinance.

MAJOR SUBDIVISION CERTIFICATES REQUIRED

Sec. 25-83. - Plat requirements for major subdivisions.

- (a) The final plat shall be prepared by a registered land surveyor currently licensed and registered to do business in the state by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors. The final plat shall conform to the provisions for plats, subdivisions, and mapping requirements set forth in G.S. 47-30, or its successor, and to the "Standards of Practice for Land Surveying in North Carolina".
- (b) Submission of any final plat of a subdivision or a portion thereof shall be accompanied by a filing fee set by the town.
- (c) Signed certificates, substantially in the forms provided for in subsections (1), (2) and (3), below shall appear on all copies of the final plat:

(1) "Certificate of Ownership and Dedication

I hereby certify that I am the owner of the property shown and described hereon, which is located within the subdivision jurisdiction of the Town of Weaverville and that I hereby adopt this plan of subdivision with my free consent, establish minimum building setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements shown on the plat to public or private use as noted on the plat. Furthermore, I hereby dedicate all sanitary sewers, storm sewers, and water lines shown on the plat to the Town of Weaverville.

Owner: _____

Date: _____/_____/_____ "

(2) A certificate of survey and accuracy which shall be prepared in accordance with G.S. 47-30, or its successor.

(3) "Certificate of Approval of the Design and Installation of Streets, Utilities, and Other Required Improvements.

I hereby certify that all streets, utilities, and other required improvements will be installed in an acceptable manner and according to the Town of Weaverville's specifications and standards in the subdivision and that guarantees of the installation of the required improvements in an amount and manner satisfactory to the Town of Weaverville have been received, and that the filing fee for this plat, in the amount of \$_____ has been paid.

Subdivision Administrator: _____

Date: _____/_____/_____ "

If the town council approves the final plat, such approval shall be shown on the original tracing of the plat by the addition thereto of the following signed certificate:

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Town of Weaverville, North Carolina and that this plat has been approved by the Town Council of Weaverville for recording in the Office of the Register of Deeds of Buncombe County.

Town Manager Weaverville, North Carolina

Date _____

IMPROVEMENTS GUARANTEE, DEFECTS GUARANTEE, and DEFAULT

(1) *Improvements guarantee.*

- (A) Unless the construction of all improvements required by this chapter have been totally completed prior to the approval by the town council of a final plat and the recording of the same, the town shall, for the purpose of approving a final plat prior to the completion of construction, require an agreement to complete and a guarantee from the subdivider that construction of required or contemplated improvements will be completed according to the approved specifications of the town at the subdivided expense. Such guarantee may be in the form of: (i) an assignment by the subdivider to the town of a certificate of deposit at a federally insured financial institution; (ii) an official bank check of a federally insured financial institution drawn in favor of the town and deposited with the town clerk; or (iii) cash deposited with the town clerk; or (iv) an irrevocable letter of credit drawn on a federally insured financial institution. Such guarantee shall be in an amount equal to 125 percent of the cost of the construction of the required or contemplated improvements as estimated by the subdivider or his contractors and approved, as to the amount, by the town council. The town manager may allow up to 180 days from the date of the town council approval of the final plat for the subdivider to post the necessary performance guarantee in addition to all other necessary documents. If prior to the expiration of the 180 days, the developer requests a further extension, the town manager may, at his or her discretion, grant an additional 180 days to complete utilities and paving. If all documents and guarantees are not received by the town manager within the 180-day period, the town council's approval of the final plat shall become null and void. All guarantees shall be reviewed by the town attorney and shall be subject to town council approval. Performance guarantees shall be kept by the town until the town council determines that all public and private improvements as required by this chapter have been constructed in accordance with the approved plans except as provided below.
- (B) The town council may release, from time-to-time, a portion of the guarantee as the required improvements are completed. Such partial release shall be upon the petition of the subdivider to the subdivision administrator who must then recommend such partial release of security deposit to the town council with the advice of the planning and zoning board and the advice of the town's consulting engineers. Requested releases shall be facilitated by the subdivision administrator and the town council shall process the requested release and shall release the requested funds within 45 days from the date the request is received by the subdivision administrator unless the town council shall, within such time, deliver to the subdivider, a written list of deficiencies in construction which must be corrected before such petition to release a portion of the guarantee will be granted. The total amount of guarantee required shall not be released until the town council determines that all public and private improvements as required by this chapter have been constructed.

- (2) *Defects guarantee.* Once construction of required or contemplated improvements has been completed, inspected and accepted by the town, all subdividers shall further agree to exonerate, save harmless, protect and indemnify the town for a period of three years, beginning on the date of dedication and/or acceptance of the improvements by the town council, against any defects in the equipment and materials used or defects in construction in any and all utility taps, surface drainage courses, street pavement, fire hydrants (to be installed as required by [section 30-102](#) or its successor), drainage facilities, water and sewer lines, and other improvements required by this chapter. Such guarantees shall also apply to landscaping and buffering requirements.

In order to further protect the town against losses from such defects, the town, acting through the town council shall require the subdivider to provide a guarantee that the materials and construction of all of such improvements shall be free of defects for the three-year period. Such guarantee shall be in an amount to be determined by the town council, after consultation with the town's consulting engineers and other appropriate engineers, as being sufficient to repair any defects and shall be provided to the town in one of the forms required for the improvements guarantee set forth in subsection (b) above. The guarantee required by this subsection shall be given prior to the acceptance of the completed improvements by the town.

- (3) *Default.* If any subdivider should default in constructing any improvements required by this chapter or default in the guarantees required by subsection (b) or should default in failing to correct defects guaranteed by subsection (c) of this section, the town shall be entitled, in addition to any other remedies available to the town, to pursue any civil or criminal remedy for such default against such subdivider as may be available to the town under the laws of the state, including, but not limited to, actions to recover under the guarantees provided for in said sections.