

Erwin Board of Commissioners
REQUEST FOR CONSIDERATION

To: Erwin's Board of Commissioners

From: Dylan Eure, Town Planner

Date: October 10, 2024

Subject: Updates to Erwin's Zoning Ordinances Chapter 30- Subdivisions

The Staff of the Town of Erwin wishes to amend its Code of Ordinances to correct issues of conflicting language, and practices throughout the Town of Erwin as well as require sidewalk exactions of major subdivision developers. These items include the removal of verbiage relating to privately maintained streets and sidewalks.

Amend Chapter 30 Article IV Section 30-107, Article III Section 30-80, 30-75, 30-77

The purpose of these amendments is to remove all language eluding to the creation of additional private streets as our ordinances require any additional home to be fronting a town-maintained street.

Proposed amended diction to eliminate the creation of private streets:

30-107

~~“Every lot shall front or abut a public street or shall have access to a public street via an approved private street or drive. Approved private streets and drives shall meet the following requirements:~~

~~A. The street or drive must be adequately designed to allow access by public service and public safety vehicles.~~

~~B. A permanent easement shall be recorded allowing use by the lot owners and building occupants; and by public service and safety agencies.~~

~~C. The developer/subdivider shall execute and record an approved statement waiving any claims for damages resulting from normal use by public service and safety agencies; waiving rights to request municipal maintenance in the future (unless designed and constructed to town street standards), acknowledging public agencies' rights to discontinue services unless the street or drive is maintained property, and establishing responsibility for continuing maintenance of the private nature of the street or drive shall also be included as covenant in all transfers of lots or units in the development.~~

~~D. Private streets and drives shall be clearly labeled "private" on all plats.”~~

30-75

“(B) A minor subdivision is defined as one involving no new public ~~or private streets or~~ roads, or right-of-way dedication, and no utility extension”

30-80

“Type of street dedication; all streets must be designated ~~either~~ "public" ~~or private."~~”

Amend Chapter 30 Article 3 Section 30-77

The purpose of this amendment is to require developers of major subdivisions to install ADA-compliant sidewalks along at least one side of the entirety of each street created or existing road.

Proposed amendment to the list of items of major subdivisions:

ADA-compliant sidewalk along at least one side of the entirety of each street created by the subdivision or existing road.



TOWN OF ERWIN

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**ERWIN BOARD OF COMMISSIONERS
RESOLUTION ON STATEMENT OF CONSISTENCY
FOR CHAPTER 30 - SUBDIVISIONS
2024-2025--009**


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Mayor Pro Tem
Ricky W. Blackmon
Commissioners
Alvester L. McKoy
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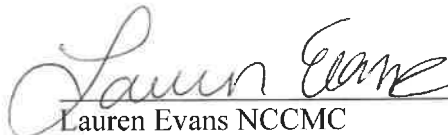
WHEREAS, the Erwin Board of Commissioners do hereby find and conclude that the proposed Ordinance Amendments to Chapter 30 - Subdivisions are reasonable and in the public interest to better reflect the desired development within the Town's Planning Jurisdiction; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Board of Commissioners of the Town of Erwin do hereby approve and adopt the proposed text amendments to Chapter 30 - Subdivisions as presented.

ADOPTED this the 10th day of October 2024.

ATTEST:


Randy Baker
Mayor


Lauren Evans NCCMC
Town Clerk