

JANUARY 7, 2019

ORDINANCE NO. PZ-19-01

AN ORDINANCE ADOPTED BY THE BOARD OF COMMISSIONERS
OF THE TOWN OF FUQUAY-VARINA, NC
AMENDING THE TOWN CODE OF ORDINANCES;
PART 9, LAND DEVELOPMENT ORDINANCE
EXCEPTIONS TO LOT FRONTAGE REQUIREMENTS.
CTA-2018-08

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Town of Fuquay-Varina the following:

Section 1. Article J SUBDIVISION REGULATIONS is amended as follows:

§9-1455 Minor Subdivision, a. Minor Subdivision Classification,

- (1) **Maximum Number of Lots.** A minor subdivision shall involve the subdivision of four (4) lots or less fronting or adjacent to an existing public street, except as otherwise provided by the Land Development Ordinance.

**No text amendments are proposed for (2), (3), (4), or (5) of this Section, hence they are omitted.*

§9-1458 Subdivision Lots, a. Lot Configuration, (2) Lot Frontage on Public Right-of-Way,

- A. **Exceptions to Lot Frontage Requirements.** A minor subdivision may create one (1) or more lots that abut one (1) or more permanent access easements, rather than a public right-of-way or private street, but only if all of the following conditions are met:
 - i. **Location.** The subdivision must be located in a nonresidential zoning district.
 - ii. **Minimum Access.** At least one (1) adjoining permanent access easement must be no less than 24 feet in width (for a two-way easement), or no less than 12 feet in width (for a one-way easement), and providing legal ingress and egress to a public right-of-way. Said easement must be connected to an existing public right-of-way that meets the standards of the Town's Community Transportation Plan. This requirement may be waived by administrative adjustment with demonstration that the functional equivalent has been provided by current improvements, and in accordance with Article Q Procedures & Administration.
 - iii. **Recordation of Easement.** The permanent access easement must be recorded at the Office of Wake County Register of Deeds prior to final plat approval and must be reflected on said plat.

- iv. *Improvements.* All required improvements within the permanent access easement areas must be completed in compliance with the standards of this LDO prior to final plat approval.

BE IT FURTHER ORDAINED, by the Board of Commissioners of the Town of Fuquay-Varina that this ordinance shall take effect immediately upon its adoption.

Adopted this 7th day of January 2019 in Fuquay-Varina, North Carolina.

FUQUAY-VARINA, NORTH CAROLINA

ATTEST:

John W. Byrne, Mayor

(TOWN SEAL)

Rose H. Rich, Town Clerk

