

## REQUEST FOR BOARD ACTION

### HENDERSON COUNTY PLANNING BOARD

**Meeting Date:** July 16, 2009

**Subject:** Special Subdivision Road Standards

**Attachments:** 1. Proposed LDC Text Amendment for Special Subdivision Road Standards

#### **SUMMARY OF REQUEST:**

At its May 21, 2009 meeting, the Planning Board discussed concerns with the special subdivision road standards. Staff anticipated addressing these concerns during the 2009 annual review of the Land Development Code (LDC). During the Board's June 18, 2009 meeting, at the Board's request, Staff presented a summary of existing special subdivision road standards and listed possible amendments to these standards. The Board discussed possible solutions based on Staff comments and requested Staff provide a draft text amendment to the Board at its July meeting. Staff has provided a possible text amendment based on Board discussion to address road and right-of-way widths and turnaround requirements for special subdivisions (See Attachment 1).

If the Planning Board feels this issue should be addressed immediately it will need to initiate a text amendment to address these concerns outside of the LDC annual review process.

#### **PLANNING BOARD ACTION REQUESTED:**

Staff is requesting direction on how the Planning Board would like to proceed. If the Board decides to move forward with a text amendment to the special subdivision road standards, the following motion has been provided.

#### **Suggested Motion:**

I move that the Planning Board initiate a text amendment to the Land Development Code to address special subdivision road standards as discussed by the Board, and

I further recommend that the Board of Commissioners set a public hearing to adopt the proposed text amendment.

## **Proposed Text Amendment to the Land Development Code (Special Subdivision Road Standards)**

**Issue:** The Planning Board has been discussing concerns with the special subdivision road standards in the Land development Code (LDC). Currently, the LDC requires special subdivisions of 1-4 lots provide a 30 foot right-of-way (ROW) and construct a 12 foot travelway before a final plat can be recorded. Special subdivisions proposing 5 lots must have a 45 foot ROW and construct a 12 foot travelway before recording a final plat. The Board agreed construction of the road is necessary prior to recording lots, but felt the ROW should be 30 feet and travelway width should be reduced to 10 feet for all special subdivisions. The Planning Board felt a 10 foot road could still be utilized by emergency vehicles. The Board also felt that existing roads should be credited if they met the standards of the subdivision ordinance. Currently, special subdivisions have no requirements to address vehicle turnarounds. The Planning Board felt special subdivisions should be required to provide a turnaround for roads that exceed 1,000 feet in length. Finally, the Planning Board felt the certificate of understanding should be signed by the property owner but that this should be a separate document, submitted as part of the special subdivision application, rather than a requirement on the final plat. Staff provides the following amendments to address the Board's concerns and recommendations.

**Recommendation:** Amend §200A-78 (F) to address the travelway width reduction and the turnaround requirement.

### **§200A-78. Minor Subdivisions**

F. Minor Subdivision Standards (Five (5) or Fewer Lots). A *minor subdivision* of five (5) or fewer *lots* shall:

(1) Adhere to the following minimum requirements for all proposed private *roads*:

- a. All *roads* shall be located within a *right-of-way* of a width determined by the number of *lots* served as noted in Table 3.1 (Subdivision Private Road Standards).
- b. All *roads* must have a minimum *travelway* width of ~~12 feet~~ 10 feet.
- c. All *roads* must be constructed with a minimum stone base (aggregate base course) of four (4) inches. All roads must be compacted properly.
- d. No stone-based (gravel) road shall exceed 15 percent grade. No paved *road* shall exceed 18 percent grade. The *Subdivision Administrator* may require a professional engineer or professional surveyor certify on the *final plat* that no portion of the *road(s)* have grades that exceed maximum allowable grade as defined in §200A-81 (Major Subdivisions) subsection C (4) (Road Construction) or submit a final as-built graded centerline profile showing grade and alignment for all *roads*.
- e. All *roads* must have a *vertical clearance* of at least 13.5 feet.
- f. **Dead Ends, Cul-de-sacs and Turnarounds. Loop roads should be encouraged where possible in lieu of culs-de-sac or turnarounds. Vehicle turnaround areas shall be provided at the end of all dead-end roads that exceed 1,000 feet. The required turnaround area of a dead-end road cul-de-sac shall have a radius of not less than 35 feet. Acceptable alternative turnaround designs for residential**

*subdivisions* are shown in §200A-81 Figures 3C, 3D, and 3E. The reviewing agency may require additional turnarounds at intermediate locations along dead end roads with a centerline length of greater than 2,500 feet.

- g. Existing Roads. Existing roads may be credited where the road meets the minimum width requirements, is properly compacted, and provides adequate shoulder. Where an existing road is to be used the required right-of-way must be dedicated over the existing road.

**Recommendation:** Amend §200A-78 (G)(5) to remove the Certificate of Understanding requirement from the final plat.

### §200A-78. Minor Subdivisions

- (5) ~~Include on the final plats for special subdivisions~~ The following certificate, signed by the property owner, shall be provided to the reviewing agency at the time of application submittal, ~~provided on the face of the plat:~~

#### Certificate of Understanding

I (we) hereby certify that I am (we are) the owner(s) of the property located within the subdivision-regulation jurisdiction of Henderson County as shown and described in the attached ~~hereon~~, and that I (we) hereby adopt this plan of subdivision. I (we) understand that expansion of this subdivision may result in the upgrading of road infrastructure, utilities and additional right-of-way dedication and other applicable requirements as required by the Subdivision Regulations (Article III) of the Land Development Code (Chapter 200A of the Henderson County Code). All proposed roads in this subdivision will meet the minimum requirements outlined in §200A-78 (Minor Subdivisions) F for private roads and §200A-81 (Major Subdivisions) C(1) for public roads.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner(s)

**Recommendation:** Amend §200A-81 Table 3.1 Subdivision Private Road Standards to address the 45 foot ROW requirement for subdivisions proposing 5 lots.

### §200A-81. Major Subdivisions

Table 3.1. Subdivision Private Road Standards				
Requirements		Private Road Classification <sup>1</sup>		
		Subdivision Collector	Subdivision Local	Limited Local
Number of Residential Lots Served <sup>2</sup>		50+	<del>5 to 49</del> <sup>2</sup> 6 to 49	<del>1-4</del> <sup>2</sup> 1-5
Right-of-Way Width (ft.) <sup>3</sup>	Roads (feet)	50	45	30
	Cul-de-sac (radius)	N/A	50	50