

ARTICLE 14. STREETS AND SIDEWALKS

Section 14.1 Street Classification.

(a) In all new subdivisions, streets that are dedicated to public use shall be classified as provided in subsection (b).

- (1) The classification shall be based upon the projected volume of traffic to be carried by the street, stated in terms of the number of trips per day;
- (2) The number of dwelling units to be served by the street may be used as a useful indicator of the number of trips but is not conclusive;
- (3) Whenever a subdivision street continues an existing street that formerly terminated outside the subdivision or it is expected that a subdivision street will be continued beyond the subdivision at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision.

(b) The classification of streets shall be as follows:

- (1) *Minor*: A street whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than nine dwelling units and is expected to or does handle up to seventy-five trips per day.
- (2) *Local*: A street whose sole function is to provide access to abutting properties. It serves or is designed to serve at least ten but no more than twenty-five dwelling units and is expected to or does handle between seventy-five and two-hundred trips per day.
- (3) *Cul-de-sac*: A street that terminates in a vehicular turn-around.
- (4) *Subcollector*: A street whose principal function is to provide access to abutting properties but is also designed to be used or is used to connect minor and local streets with collector or arterial streets. Including residences indirectly served through connecting streets, it serves or is designed to serve at least twenty-six but not more than one hundred dwelling units and is expected to or does handle between two hundred and eight hundred trips per day.
- (5) *Collector*: A street whose principal function is to carry traffic between minor, local, and subcollector streets and arterial streets but that may also provide direct access to abutting properties. It serves or is designed to serve, directly or indirectly, more than one hundred dwelling units and is designed to be used or is used to carry more than eight hundred trips per day.
- (6) *Arterial*: A major street in the town's street system that serves as an avenue for the circulation of traffic into, out, or around the town and carries high volumes of traffic.

- (7) *Marginal Access Street:* A street that is parallel to and adjacent to an arterial street and that is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of the through traffic on the arterial street and so that the flow of traffic on the arterial street is not impeded by direct driveway access from a large number of abutting properties.
- (8) *Commercial/Industrial Street:* A street that is designed to primarily provide vehicular access to abutting major commercial and industrial developments including shopping centers, office parks, and industrial parks. (*Amended 3/99*)

Section 14.2 Access to Lots.

Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use.

Section 14.3 Access to Arterial Streets.

Whenever a major subdivision that involves the creation of one or more new streets borders on or contains an existing or proposed arterial street, no direct driveway access may be provided from the lots within this subdivision onto this street.

Section 14.4 Entrances to Streets.

(a) All driveway entrances and other openings onto streets within the town's planning jurisdiction shall be constructed so that:

- (1) Vehicles can enter and exit from the lot in question without posing any substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets; and
- (2) Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized.

(b) Specifications for driveway entrances are set forth in Appendix B to this chapter. If driveway entrances and other openings onto streets are constructed in accordance with the foregoing specifications and requirements, this shall be deemed prima facie evidence of compliance with the standard set forth in subsection (a).

(c) For purposes of this section, the term "prima facie evidence" means that the permit-issuing authority may (but is not required to) conclude from this evidence alone that the proposed development complies with subsection (a).

Section 14.5 Coordination with Surrounding Streets.

(a) The street system of a subdivision shall be coordinated with existing, proposed and anticipated streets outside the subdivision or outside the portion of a single tract that is being divided into lots (hereinafter, "surrounding streets") as provided in this section. Where applicable, the street layout in all new subdivisions shall conform to the arrangement, width, and location indicated on any official thoroughfare plan for state and local streets.

(b) Collector streets shall intersect with surrounding collector or arterial streets at safe and convenient locations.

(c) Subcollector, local, and minor residential streets shall connect with surrounding streets where necessary to permit the convenient movement of traffic between residential neighborhoods or to facilitate access to neighborhoods by emergency service vehicles or for other sufficient reasons, but connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through-traffic.

(d) Whenever connections to anticipated or proposed surrounding streets are required by this section, the street right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the permit issuing authority may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of 1,000 feet may be created unless no other practicable alternative is available.

Section 14.6 Relationship of Streets to Topography.

(a) Streets shall be related appropriately to the topography. In particular, streets shall be designed to facilitate the drainage and storm water runoff objectives set forth in Article 16, and street grades shall conform as closely as practicable to the original topography.

(b) As indicated in Section 14.7, the maximum grade at any point on a street constructed without curb and gutter shall be six percent. On streets constructed with curb and gutter the grade shall not exceed six percent unless no other practicable alternative is available. However, in no case may streets be constructed with grades that, in the professional opinion of the public works director, create a substantial danger to the public safety.

Section 14.7 Street Width, Sidewalk, and Drainage Requirements in Subdivisions.

(a) Street rights-of-way are designed and developed to serve several functions: (i) to carry motor vehicle traffic, and in some cases, allow on-street parking; (ii) to provide a safe and convenient passageway for pedestrian traffic; and (iii) to serve as an important link in the town's drainage system. In order to fulfill these objectives, all public streets shall be constructed to meet either the standards set forth in subsection (b) or subsection (c).

(b) All streets, except as provided in subsection (c), shall be constructed with curb and gutter and shall conform to the other requirements of this subsection. Only standard 90° curb may be used, except that roll-type curb shall be permitted along minor and local streets within residential subdivisions. Street pavement width shall be measured from curb face to curb face where 90° curb is used, and from the center of the curb where roll-type curb is used. *(Amended 7/99)*

Type Street	Minimum Right-of-Way Width	Minimum Pavement Width
Minor	50'	24'
Local	60'	24'
Subcollector	60'	26'
Collector	60'	32'
Commercial/ Industrial	60'	36'

(c) Where the Town Council, based upon engineering recommendations, determines that, due to site-specific drainage requirements and proposed street grade, six-foot-wide shoulders and drainage swales would be more appropriate than curb and gutter, the requirements of subsection (b) may be waived. In such cases, streets shall be constructed according to the criteria indicated in the table that follows as well as specifications referenced in Section 14.10. No sidewalks shall be required for such streets. *(Amended 7/99)*

Type Street	Minimum Right-of-Way Width	Minimum Pavement Width
Minor	50'	20'
Local	60'	20'
Subcollector	60'	22'

(Amended 3/99)

(d) Where required by the Town Council, sidewalks shall be at least four feet in width and constructed according to the specifications set forth in Appendix C, except that the Town Council may permit the installation of walkways constructed with other suitable materials when it concludes that:

- (1) Such walkways would serve the residents of the development as adequately as concrete sidewalks; and
- (2) Such walkways would be more environmentally desirable or more in keeping with the overall design of the development.

(e) Whenever the Town Council finds that a means of pedestrian access is necessary from the subdivision to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the streets, the developer may be required to reserve an unobstructed easement of at least ten feet in width to provide such access.

Section 14.8 General Layout of Streets.

(a) Subcollector, local, and minor residential streets shall be curved whenever practicable to the extent necessary to avoid conformity of lot appearance.

(b) All permanent dead-end streets [as opposed to temporary dead-end streets, see subsection 14.5(d)] shall be developed as cul-de-sacs in accordance with the standards set forth in subsection (c). Except where no other practicable alternative is available, such streets shall be designed so as to provide access to no more than 20 dwelling units or a maximum ADT of 200, whichever is greater. ADT is calculated according to the following trip generation rate: *(Amended 1/99)*

Use	Generation Rate	Maximum Units
Single-family	10.0	20
Apartment, Condominium	6.1	32
Mobile Home	4.8	41
Retirement Community	3.3	60
Non-residential	As determined by appropriate trip generation rates	

(c) The right-of-way of a cul-de-sac shall have a radius of fifty feet. The radius of the paved portion of the turn-around (measured to the outer edge of the pavement) shall be thirty-five feet, and the pavement width shall be twelve feet without curb and gutter or eighteen feet with curb and gutter. The unpaved center of the turn-around area shall be landscaped.

(d) Half streets (i.e., streets of less than the full required right- of-way and pavement width) shall not be permitted except where such streets, when combined with a similar street (developed previously or simultaneously) on property adjacent to the subdivision, creates or comprises a street that meets the right-of-way and pavement requirements of this chapter.

(e) Streets shall be laid out so that residential blocks do not exceed 1,000 feet, unless no other practicable alternative is available.

Section 14.9 Street Intersections.

(a) Streets shall intersect as nearly as possible at right angles, and no two streets may intersect at less than 60 degrees. Not more than two streets shall intersect at any one point, unless the public works director certifies to the permit issuing authority that such an intersection can be constructed with no extraordinary danger to public safety.

(b) Whenever possible, proposed intersections along one side of a street shall coincide with existing or proposed intersections on the opposite side of such street. In any event, where a

center line offset (jog) occurs at an intersection, the distance between centerlines of the intersecting streets shall be not less than 150 feet.

(c) Except when no other alternative is practicable or legally possible, no two streets may intersect with any other street on the same side at a distance of less than 400 feet measured from centerline to centerline of the intersecting street. When the intersected street is an arterial, the distance between intersecting streets shall be at least 1,000 feet.

Section 14.10 Construction Standards and Specifications.

Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in Appendix C, and all such facilities shall be completed in accordance with these standards.

Section 14.11 Private Streets and Private Roads in Subdivisions.

(a) Except as otherwise provided in this section, all lots created after the effective date of this section shall abut a public street at least to the extent necessary to comply with the access requirement set forth in Section 14.2. For purposes of this subsection, the term "public street" includes a pre-existing public street as well as a street created by the subdivider that meets the public street standards of this article and is dedicated for public use. Unless the recorded plat of a subdivision clearly shows a street to be private, the recording of such a plat shall constitute an offer of dedication of such street.

(b) Architecturally integrated residential subdivisions containing twenty-five or more dwelling units may be developed with private roads that do not meet the public street and sidewalk standards of this chapter so long as:

- (1) The proposed development will have direct access onto a public street or, if the tract has access to a public street only via a private road, such private road is improved to public street standards;
- (2) No road intended to be private is planned to be extended to serve property outside that development; and
- (3) The standards applicable to unsubdivided developments set forth in Sections 14.12 and 14.13 are complied with.

(c) Architecturally integrated subdivisions containing any number of dwelling units may be developed with private roads that do meet the public street and sidewalk standards of this chapter but that are not intended for dedication to the public so long as:

- (1) The proposed development will have direct access into a public street or, if the tract has access to a public street only via a private road, such private road is improved to public street standards;

- (2) No road intended to be private is planned or expected to be extended to serve property outside the development; and
- (3) The subdivider demonstrates to the reasonable satisfaction of the Council that the private roads will be properly maintained.

(d) A subdivision in which the access requirement of Section 14.2 is satisfied by a private road that meets neither the public street standards nor the standards set forth in Section 14.12 may be developed so long as, since the effective date of this chapter, not more than three lots have been created out of that same tract.

- (1) The intent of this subsection is primarily to allow the creation of not more than three lots developed for single-family residential purposes. Therefore, the permit-issuing authority may not approve any subdivision served by a private road authorized by this subsection in which one or more of the lots thereby created is intended for (i) two-family or multi-family residential use or (ii) any other residential or nonresidential use that would tend to generate more traffic than that customarily generated by three single-family residences.
- (2) To ensure that the intent of this subsection is not subverted, the permit-issuing authority may, among other possible options, require that the approved plans show the types and locations of buildings on each lot or that the lots in a residential subdivision served by a private road be smaller than the permissible size of lots on which two-family or multi-family developments could be located or that restrictive covenants limiting the use of the subdivided property in accordance with this section be recorded before final plat approval.

(e) No final plat that shows lots served by private roads may be recorded unless the final plat contains the following notations:

- (1) "Further subdivision of any lot shown on this plat as served by a private road may be prohibited by the Edenton Land Development Ordinance."
- (2) "The policy of the Town of Edenton is that, if the town improves streets (i) that were never constructed to the standards required in the Edenton Land Development Ordinance for dedicated streets, and (ii) on which 75% of the dwelling units were constructed after the effective date of this chapter, then 100% of the costs of such improvements shall be assessed to abutting landowners."
- (3) "The maintenance of all private streets and roads shown on this plat shall be the responsibility of property owners within the subdivision. The Town of Edenton will not maintain any private street or road."

(f) The recorded plat of any subdivision that includes a private road shall clearly state that such road is a private road. Further, the initial purchaser of a newly created lot served by a private road shall be furnished by the seller with a disclosure statement outlining the maintenance responsibilities for the road, in accordance with the provisions of NCGS 136-102.6.

Section 14.12 Road and Sidewalk Requirements in Unsubdivided Developments.

(a) Within unsubdivided developments, all private roads and access ways shall be designed and constructed to facilitate the safe and convenient movement of motor vehicle and pedestrian traffic. Width of roads, use of curb and gutter, and paving specifications shall be determined by the provisions of this chapter dealing with parking (Article 18) and drainage (Article 16). To the extent not otherwise covered in the foregoing articles, and to the extent that the requirements set forth in this article for subdivision streets may be relevant to the roads in unsubdivided developments, the requirements of this article may be applied to satisfy the standard set forth in the first sentence of this subsection.

(b) Whenever a road in an unsubdivided development connects two or more subcollector, collector, or arterial streets in such a manner that any substantial volume of through traffic is likely to make use of this road, such road shall be constructed in accordance with the standards applicable to subdivision streets and shall be dedicated. In other cases when roads in unsubdivided developments within the town are constructed in accordance with the specifications for subdivision streets, the town may accept an offer of dedication of such streets.

(c) In all unsubdivided residential development, sidewalks shall be provided linking dwelling units with other dwelling units, the public street, and on-site activity centers such as parking areas, laundry facilities, and recreational areas and facilities. Notwithstanding the foregoing, sidewalks shall not be required where pedestrians have access to a road that serves not more than nine dwelling units.

(d) Whenever the permit issuing authority finds that a means of pedestrian access is necessary from an unsubdivided development to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the roads, the developer may be required to reserve an unobstructed easement of at least ten feet to provide such access.

(e) The sidewalks required by this section shall be at least four feet wide and constructed according to the specifications set forth in Appendix C, except that the permit issuing authority may permit the installation of walkways constructed with other suitable materials when it concludes that:

- (1) Such walkways would serve the residents of the development as adequately as concrete sidewalks; and
- (2) Such walkways could be more environmentally desirable or more in keeping with the overall design of the development.

Section 14.13 Attention to Handicapped in Street and Sidewalk Construction.

(a) As provided in NCGS 136-44.14 whenever curb and gutter construction is used on public streets, wheelchair ramps for the handicapped shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with published standards of the North Carolina Department of Transportation, Division of Highways.

(b) In unsubdivided developments, sidewalk construction for the handicapped shall conform to the requirements of Section 11X of the North Carolina State Building Code.

Section 14.14 Street Names and House Numbers.

(a) Street names shall be assigned by the developer subject to the approval of the permit issuing authority. Proposed streets that are obviously in alignment with existing streets shall be given the same name. Newly created streets shall be given names that neither duplicate nor are phonetically similar to existing streets within the town's planning jurisdiction, regardless of the use of different suffixes (such as those set forth in subsection (b)).

(b) Street names shall include a suffix such as the following:

- (1) Circle: A short street that returns to itself.
- (2) Court or Place: A cul-de-sac or dead-end street.
- (3) Loop: A street that begins at the intersection with one street and circles back to end at another intersection with the same street.
- (4) Street, Avenue and other common suffixes not applying above: All public streets not designated by another suffix.

(c) Building numbers shall be assigned by the town.

Section 14.15 Bridges.

All bridges shall be constructed in accordance with the standards and specifications of the [state or local] Department of Transportation, except that bridges on roads not intended for public dedication may be approved if designed by a licensed architect or engineer.

Section 14.16 Utilities.

Utilities installed in public rights-of-way or along private roads shall conform to the requirements set forth in Article 15, Utilities.

Section 14.17 Cost of Street and Sidewalk Improvements.

The cost of installing street and sidewalk improvements required by this article shall be borne entirely by the developer. In no case shall the Town of Edenton be responsible for the cost of street and sidewalk improvements required by this article.

Section 14.18 Street Name and Traffic Signs.

Street name and traffic signs which meet standard Town of Edenton and N.C. Department of Transportation specifications shall be placed at all street intersections. The cost to install street name and traffic signs shall be borne by the developer.