

CITY OF GREENVILLE PLANNING AND ZONING COMMISSION

Preliminary Plat Approval Procedure, Format, Mapping and Application Requirements

Applications for the approval of a preliminary plat shall be submitted to the via the City's portal found at the following website: cityofgreenvillenc-energovweb.tylerhost.net/apps/selfservice#/home.

Please use this application to ensure that your submittal is complete. The City is accepting these applications as the agent for the City of Greenville Planning and Zoning Commission (P&Z).

Meeting Date: Third (3rd) Tuesday of each month

Location: City Council Chambers; third floor City Hall, 200 W. Fifth Street

Time: 6:00 pm

A. REVIEW PROCEDURE:

Date

- | | | | |
|--------------------------------------|----|--|--|
| <u> </u> / <u> </u> / <u> </u> | 1. | <u>30 working days</u>
<u>prior meeting date:</u> | Preliminary Plat submission cut-off (5:00 pm) |
| <u> </u> / <u> </u> / <u> </u> | 2. | <u>29 working days</u>
<u>prior meeting date:</u> | Plat distributed to reviewers. |
| <u> </u> / <u> </u> / <u> </u> | 3. | <u>22 working days</u>
<u>prior meeting date:</u> | Reviewer complete/approval or provide comments. |
| <u> </u> / <u> </u> / <u> </u> | 4. | <u>20 working days</u>
<u>prior meeting date:</u> | Revisions are due. |
| <u> </u> / <u> </u> / <u> </u> | 5. | <u>16 working days</u>
<u>prior meeting date:</u> | Reviewer complete/approval or provide comments. |
| <u> </u> / <u> </u> / <u> </u> | 6. | <u>15 working days</u>
<u>prior meeting date:</u> | Advertisement submitted to through the City Page app. Deadline is Tuesday at noon prior to the Saturday to be published. Needs to be published 2 Saturdays prior to the P&Z meeting. |
| <u> </u> / <u> </u> / <u> </u> | 7. | <u>5 working days</u>
<u>prior meeting date:</u> | Meeting agenda packet is posted to the Planning Division's website and Commission Members are notified via email. |
| <u> </u> / <u> </u> / <u> </u> | 8. | <u>3rd Tuesday of</u>
<u>Month:</u> | Meeting 6:00 pm. The P&Z Chair signs the preliminary plat. |

___/___/___ 9. 1 to 5 days following meeting date: The Planning Division distributes one (1) signed mylar to Greenville Utilities Commission. One (1) returned to applicant.

___/___/___ 10. following preliminary plat approval (not to exceed five (5) years): Construction plans for the entire development shall be submitted to the City Engineer and Greenville Utilities Commission for review and approval. Such construction plans may be submitted in phases.

Submission requirements and review procedure for all construction plans shall be in accordance with the *Manual of Standard Designs and Details* and the *Manual for the Design and Construction of Water and Waste Water System Extensions* for Greenville Utilities Commission.

B. FORMAT:

- _____ 1. Scale of 1" = 200' or larger.
- _____ 2. Submission of a digital copy (PDF)
- _____ 3. Boundary lines shall be distinctly and accurately represented, all bearing and distances shown, with an accuracy of closure of not less than one (1) in two thousand-five hundred (2,500), and in accordance with the Standards of Practice of Land Surveying in North Carolina.
- _____ 4. Elevation and benchmarks shall be referenced to National Geodetic Vertical Datum (NGVD).
- _____ 5. Prepared by a professional engineer.
- _____ 6. Match lines shall be clearly indicated.
- _____ 7. A digital copy (PDF) shall be submitted of all materials and two (2) mylar copies upon request of the City Planner after P&Z approval.
- _____ 8. Shall conform to the applicable provisions of the Manual of Standard Designs and Details.

The following certificates shall be required:

- a) Standard "title block" for preliminary plats
- b) Standard "approvals" information block

- _____ 9. Filing Fee - In accordance with the *Manual of Fees*.
- _____ 10. Owners statement. The owner or agent of the owner shall submit a signed statement requesting the Commission's consideration of the preliminary plat as submitted and acknowledging that such approval is subject to approval of a construction plan. Such statement shall be on the preliminary plat approval procedure, format, mapping and application requirement sheet as provided by the Planning and Development Services Department.

C. GENERAL INFORMATION:

- _____ 1. Subdivision name.
- _____ 2. The name(s) of the city, township, county and state in which the subdivision is located.
- _____ 3. Name, address and telephone number of landowner(s).
- _____ 4. Name, address and telephone number of the subdivider and/or developer.
- _____ 5. Name, address and telephone number of the engineer preparing the plat.
- _____ 6. North Carolina registration number and seal as listed per five (5) above.
- _____ 7. Locational vicinity map, at a scale of 1" = 1000' showing the subdivision in relation to major and minor roads or streets, natural features, existing city limit lines and other obvious references.
- _____ 8. Date of original survey, plat preparation and/or revision(s).
- _____ 9. Number of sheets.
- _____ 10. Scale denoted both graphically and numerically.

D. SITE INFORMATION:

- _____ 1. North arrow and delineation as to whether true, grid or magnetic including date.
- _____ 2. Existing, platted and proposed streets, their names and numbers (if state marked routes) shown and designated as either "public" or "private", indicating right-of-way and/or easement widths, pavement widths, centerline curve and corner radius data, including site distance triangles and typical cross sections. All streets indicated on the City of Greenville Thoroughfare Plan shall indicate future right-of-way widths.
- _____ 3. Proposed and existing lot lines within the subdivision showing approximate dimensions. Plat references shall be indicated for existing lots.
- _____ 4. Location of all existing buildings with exterior dimensions including heights, number of stories, distance to existing and proposed lot lines, private drives, public right-of-way and easements.
- _____ 5. Existing and proposed property lines, public and private streets, right-of-way and/or easement widths, pavement widths, easements, utility lines, hydrants, recreation areas or open spaces on adjoining property.
- _____ 6. Ownership of all contiguous property indicated and referenced by deed book/map book and page number.
- _____ 7. Existing zoning classification(s) boundaries of the tract to be subdivided and on adjoining property within one hundred (100) feet.
- _____ 8. Political subdivision(s) including city limit lines, township boundaries and county lines.

- _____ 9. Water courses, railroads, bridges, culverts, storm drains, wooded areas, marches, swamps, rock outcrops, ponds or lakes, stream or stream beds, ditches or other natural or improved features which affect the site.
- _____ 10. Proposed pedestrian, riding, bicycle trails or easements, their location, width and purpose.
- _____ 11. Sites proposed to be dedicated or reserved for public or private purposes including location, intended use, size and expected future ownership and maintenance of such spaces.
- _____ 12. Recreation area(s) as required and pursuant to the City Code and Comprehensive Plan. If such subdivision is for residential purposes, indicate the location of all public parks or recreation areas within one-half (1/2) mile radius.
- _____ 13. Statement of proposed ownership and maintenance or other agreements when private recreation areas are established.
- _____ 14. Topography (existing and proposed) at a contour interval of one (1) foot, based on mean sea level datum, with an accuracy of plus or minus 0.5 of a foot and referenced to the National Geodetic Vertical Datum (NGVD).
- _____ 15. Existing and proposed water courses, their names, direction of flow, centerline elevations, cross sections, and any other pertinent datum.
- _____ 16. Floodway zone and floodway fringe zone shown, indicating base flood elevations for all lots adjoining such zones.
- _____ 17. Lot numbers and block numbers in consistent and logical sequence.
- _____ 18. Minimum building setback lines.
- _____ 19. Fire hydrant locations and connections.
- _____ 20. Water main locations, connections and anticipated sizes.
- _____ 21. Sanitary sewer main locations, connections and anticipated sizes.
- _____ 22. Storm sewer main locations, connections and anticipated sizes.
- _____ 23. Street and lot drainage correlated to the city drainage system, including break points and the direction of surface water flow on each lot, street and ditch.
- _____ 24. Easements, including but not limited to electric, water, sanitary sewer, storm sewer, drainage, private street, gas or other service delivery easements including their location, width and purpose.
- _____ 25. Environmental Health Department approval attached if public water and sanitary sewer systems are not available.
- _____ 26. Distance to and location of public water and sanitary sewer systems if such facilities are not available.
- _____ 27. The following in tabular form:
 - a) Lineal feet in streets
 - b) Number of lots created

c) Acreage in total tract

d) Acreage in parks, recreation areas, common areas and the like.

- _____ 28. The name and location of any property within the proposed subdivision or within any contiguous property that is listed on the National Register of Historic Places, or that has been designated by ordinance as a local historic property and/or district.
- _____ 29. Environmental impact statement pursuant to Chapter 113-A of the North Carolina General Statutes. P&Z may require the subdivider to submit an environmental impact Statement with the preliminary plat if: (1) the development exceeds two (2) acres in area; and (2) if the board deems it necessary due to the nature of the land to be subdivided or peculiarities in the proposed layout.
- _____ 30. Statements on the plat that:
- A, Construction plan approval from Greenville Utilities Commission and City of Greenville shall be obtained prior to construction of any street, water and/or sanitary sewer and storm drainage systems.
- b. All required improvements shall conform to the City of Greenville *Manual of Standard Designs and Details* and the Manual for the Design and Construction of Water and WasteWater System Extensions for Greenville Utilities Commission.
- c. All lots shall equal or exceed the minimum development standards of the City of Greenville Zoning Ordinance.
- _____ 31. Any other information considered by either the subdivider or the P&Z to be pertinent to the review of the preliminary plat.
- _____ 32. Written statement addressing the reasons for being unable to meet the minimum Requirements as listed above.

E. CONSTRUCTION PLAN

1. Following preliminary subdivision plat approval (not to exceed five (5) years) a construction plan for all improvements pursuant to Title 9, Chapter 5, Subdivisions, of the Greenville City Code shall be submitted to the City of Greenville and Greenville Utilities Commission for review and approval.
2. Submission requirements, review procedure and applicable standards for all construction plans are contained in the Manual of Standard Designs and Details and the Manual for the Design and Construction of Water and WasteWater System Extensions for Greenville Utilities Commission.

F. PRELIMINARY PLAT APPLICATION OWNER/AGENT ACKNOWLEDGEMENT

I, _____, being the Owner or Agent acting on behalf of the
Owner/Agent

request for the preliminary plat entitled

Name of Subdivision

be placed on the agenda of the Planning and Zoning Commission Meeting scheduled for ____/____/____.

I understand that failure to address any item in these requirements may result in the preliminary plat request not meeting the minimum submission requirements and said plat shall be returned to me for revision and resubmission; and I understand that any transfer/conveyance of the property contained within this preliminary plat shall be in accordance with North Carolina General Statute 160D-807 (see attached).

Signature

Date

NOTE: AGENTS ACTING ON BEHALF OF PROPERTY OWNERS MUST COMPLETE THE NOTARIZED STATEMENT FROM THE PROPERTY OWNER WHICH GIVES THEM THE AUTHORITY TO ACT ON THE OWNERS BEHALF.

I, _____, being the Owner of the property described herein, do hereby
authorize _____ as my agent for purposes of this application.

Signature

Date

Sworn to and subscribed before me, this ____ day of _____, _____.

Signature

§ 160D-807. Penalties for transferring lots in unapproved subdivisions.

(a) If a local government adopts a subdivision regulation, any person who, being the owner or agent of the owner of any land located within the planning and development regulation jurisdiction of that local government, thereafter subdivides the land in violation of the regulation or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under the subdivision regulation and recorded in the office of the appropriate register of deeds, is guilty of a Class 1 misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land does not exempt the transaction from this penalty. The local government may bring an action for injunction of any illegal subdivision, transfer, conveyance, or sale of land, and the court shall, upon appropriate findings, issue an injunction and order requiring the offending party to comply with the subdivision regulation. Building permits required pursuant to G.S. 160D-1110 may be denied for lots that have been illegally subdivided. In addition to other remedies, a local government may institute any appropriate action or proceedings to prevent the unlawful subdivision of land, to restrain, correct, or abate the violation, or to prevent any illegal act or conduct.

(b) The provisions of this section do not prohibit any owner or its agent from entering into contracts to sell or lease by reference to an approved preliminary plat for which a final plat has not yet been properly approved under the subdivision regulation or recorded with the register of deeds, provided the contract does all of the following:

- (1) Incorporates as an attachment a copy of the preliminary plat referenced in the contract and obligates the owner to deliver to the buyer a copy of the recorded plat prior to closing and conveyance.
- (2) Plainly and conspicuously notifies the prospective buyer or lessee that a final subdivision plat has not been approved or recorded at the time of the contract, that no governmental body will incur any obligation to the prospective buyer or lessee with respect to the approval of the final subdivision plat, that changes between the preliminary and final plats are possible, and that the contract or lease may be terminated without breach by the buyer or lessee if the final recorded plat differs in any material respect from the preliminary plat.
- (3) Provides that if the approved and recorded final plat does not differ in any material respect from the plat referred to in the contract, the buyer or lessee may not be required by the seller or lessor to close any earlier than five days after the delivery of a copy of the final recorded plat.
- (4) Provides that if the approved and recorded final plat differs in any material respect from the preliminary plat referred to in the contract, the buyer or lessee may not be required by the seller or lessor to close any earlier than 15 days after the delivery of the final recorded plat, during which 15-day period the buyer or lessee may terminate the contract without breach or any further obligation and may receive a refund of all earnest money or prepaid purchase price.

(c) The provisions of this section do not prohibit any owner or its agent from entering into contracts to sell or lease land by reference to an approved preliminary plat for which a final plat has not been properly approved under the subdivision regulation or recorded with the register of deeds where the buyer or lessee is any person who has contracted to acquire or lease the land for the purpose of engaging in the business of construction of residential, commercial, or industrial buildings on the land, or for the purpose of resale or lease of the land to persons engaged in that kind of business, provided that no conveyance of that land may occur and no contract to lease it may become effective until after the final plat has been properly approved under the subdivision

regulation and recorded with the register of deeds. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 21, 51(a), (b), (d).)