



City of Trinity
PLANNING & ZONING BOARD MEETING

May 28, 2024 at 6:00 PM

Trinity City Hall Annex

AGENDA

NCGS § 143-318.17 Disruption of official meetings

A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor.

(1919, c. 655, s 1; 1993, c. 539, s. 1028; 1994, Ex. Sess., c. s. 14 (c).)

Action may be taken on agenda items and other issues discussed during the meeting

1. Call to Order

- a) **Pledge of Allegiance**
- b) **Invocation**
- c) **Welcome Guests and Visitors**
- d) **Approve and/or Amend Agenda**

2. Approval of Minutes

- a. Approve the April 22, 2024 Planning and Zoning Minutes

3. Public Meeting

- a. **Request for Property Rezoning - Corner of Mendenhall Rd. and Old Mendenhall Rd. PIN #6798661434** (*Planning Jay Dale*)
- b. **Request for Property Rezoning - 0 Surrett Dr. PIN #7708323924** (*Planning Jay Dale*)
- c. **Work Session - Article 8 Subdivision** (*Planning Consultant Carrie Spencer*)

4. Comments from Board

5. Adjournment



City of Trinity
PLANNING & ZONING BOARD MEETING

April 22, 2024
Trinity City Hall Annex

MINUTES

Board Vice Chari Jacky called the meeting to order at 6:00 PM.

Board Vice Chair Jacky led the Pledge of Allegiance and Mayor McNabb gave the invocation.

Board Vice Chair Jacky called for a motion to amend or approve the agenda as presented.

Board Member Housand made a motion to approve the agenda. The motion was seconded by Board Member Aikens with a unanimous vote of 3 ayes and 0 nays.

Approval of Minutes

Board Member Housand made a motion to approve the March 25, 2024 minutes. The motion was seconded by Board Member Aikens with a unanimous vote of 3 ayes and 0 nays.

Public Meeting

Request for Property Rezoning - Corner of Mendenhall Rd. and Old Mendenhall Rd.

Planning Director Jill Wood presented to the Board a rezoning request for Tracy Mahan, Trinity, North Carolina. He is requesting that the 2.33 acres located at the corner of Mendenhall and Old Mendenhall Road, PIN #6798661434, be rezoned from R-40 to M-1. It is the desire of the property owner to operate an outdoor storage lot.

The owners of the property were not present.

Speaking For:

None

Speaking Against:

Jeff Brown at 5702 Cedar Post Street, concerned with larceny and vagrancy. Stated his concerns with tractor trailers and road safety. He presented to the Board pictures of the road.

Board Member Aikens made a motion to recommend to the Council that this request be denied as not consistent with the Land Development Plan. The motion was seconded by Board Member Housand with a unanimous vote of 3 ayes and 0 nays.

Work Session - Proposed Water Management Ordinance

Planning Consultant Carrie Spencer and Roger Bardsley conducted a work session on the proposed Water Management Ordinance.

Comments from Board

No comments from the Board at this time.

Adjournment

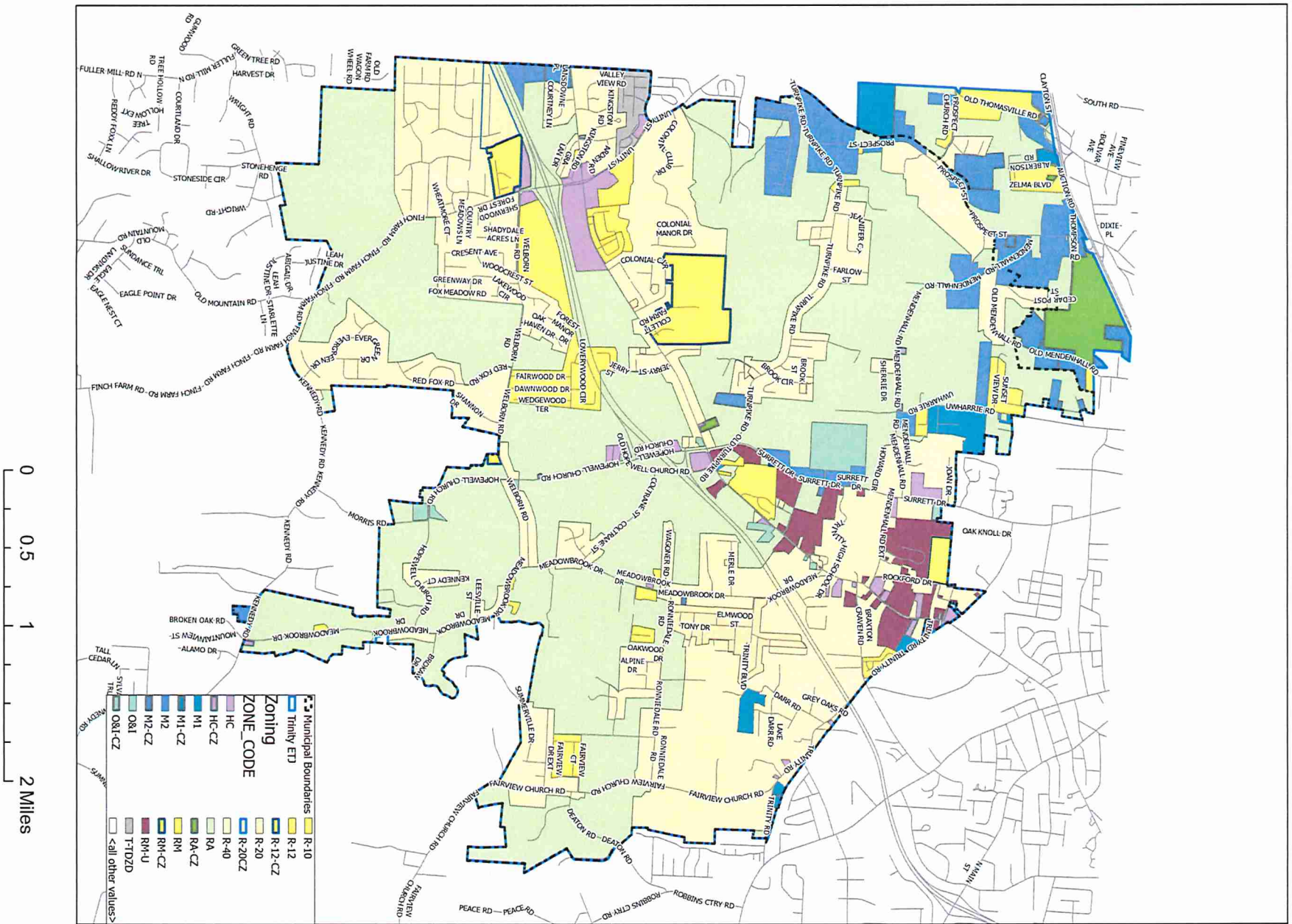
Board Member Housand made a motion to adjourn. The motion was seconded by Board Member Aikens with a unanimous vote of 3 ayes and 0 nays.

Attest:

Hunter Hayworth, Board Chairman

Darien P. Comer, City Clerk

Trinity Zoning Map





Memorandum

TO: City of Trinity Planning Board

FROM: Jay Dale, Planner

CC: Stevie Cox, City Manager
Robert Wilhoit, City Attorney

DATE: May 20, 2024

REF: Request for Property Rezoning – Corner of Mendenhall Rd. and Old Mendenhall Rd.

Summary:

TRACY MAHAN, Trinity, North Carolina, is requesting that 2.33 acres located at the corner of Mendenhall and Old Mendenhall Rd, PIN#6798661434, be rezoned from R-40 to M2-CD. It is the desire of the property owner to operate an outdoor storage lot as per the site plan.

Attachments:

- Application for Rezoning
- Rezoning Request Summary.
- Site Plan
- Property Map (County GIS)
- Site Photographs



City of Trinity Rezoning Request Application

The undersigned does hereby respectfully make application and request to the City of Trinity to amend the Zoning Ordinance and change the Official Zoning Map of the city as hereinafter requested, and in support of this application the following facts are shown:

Zoning: Current Zoning R-40 Requested Zoning M2-CD

Conditional Zoning: CD for Outdoor Storage

Property Owner Information:

Property Owner: Tracy Mahan

Address: 2019 Kennedy Rd

City: Thomasville State: NC Zip: 27360

Phone: (home/work) _____ (cell) 336-250-7916

Applicant Information (note: must show proof as to legally representing property owner):

Applicant: Tracy Mahan

Address: 2019 Kennedy Rd

City: Thomasville State: NC Zip: 27360

Phone: (home/work) _____ (cell) 336-250-7916

Site Information:

PIN # 6798661434

Property Address: No Address

Deed Book: 002876 Page: 00831

Area: 2.33 acres

Are there any structures currently on the property to be rezoned? _____ yes no

List structures: _____

What is the current land use on the property to be rezoned (i.e. commercial, residential, farming, vacant etc.)? Vacant

What current land uses and zoning are adjacent to the property to be rezoned?

North: Zoning M2 Land Use _____

South: Zoning R-40 Land Use _____

East: Zoning R-40 Land Use _____

West: Zoning M-2 Land Use _____

Conditions if requesting Conditional Zoning:

Property to be fenced and screened as per note 4.

If the property is rezoned, it is understood by all, that development must conform to the minimum requirements of the City of Trinity Zoning Ordinance and all other development ordinances of the City and of Randolph County.

Deadline for rezoning applications is the first Monday of each month. Incomplete applications will be scheduled for hearing the following month. Fee: \$600.00

Staff Notes:

Mr. Mahan already paid. Staff made an error in requested zoning.

Tracy Mahan (name of applicant)

[Signature] (signature of applicant)

[Signature] (signature of Zoning Administrator)

4-26-24 (date)

Office Use

Date Received: 4-26-24

Fees Paid: N/A

Staff Review:

Planning Board Review:

City Council Review:

REZONING REQUEST SUMMARY

TRACY MAHAN, Trinity, North Carolina, is requesting that 2.33 Acres located at the corner of Mendenhall Rd. and Old Mendenhall Rd. PIN# 6798661434 be rezoned from R-40 to M2-CD. It is the desire of the property owner to operate an outdoor storage lot as per site plan.

Application/Site plan issues to consider:

- **Outside storage would be required to meet the fencing/buffering requirements of the Zoning Ordinance.**
- **Multiple M2 in the area.**

Adjoining Zoning:

This site is located at the corner of Mendenhall Rd and Old Mendenhall Rd.. The property to the north is zoned M-2 and R-40. The property to the south is zoned R-40, the property to the east is zoned R-40, and the property to the west is zoned M-2 and R-40.

Transportation:

Mendenhall Rd is maintained by NCDOT and located in close proximity to US Hwy 29.

Future Land Use Category: **SECONDARY GROWTH AREA**

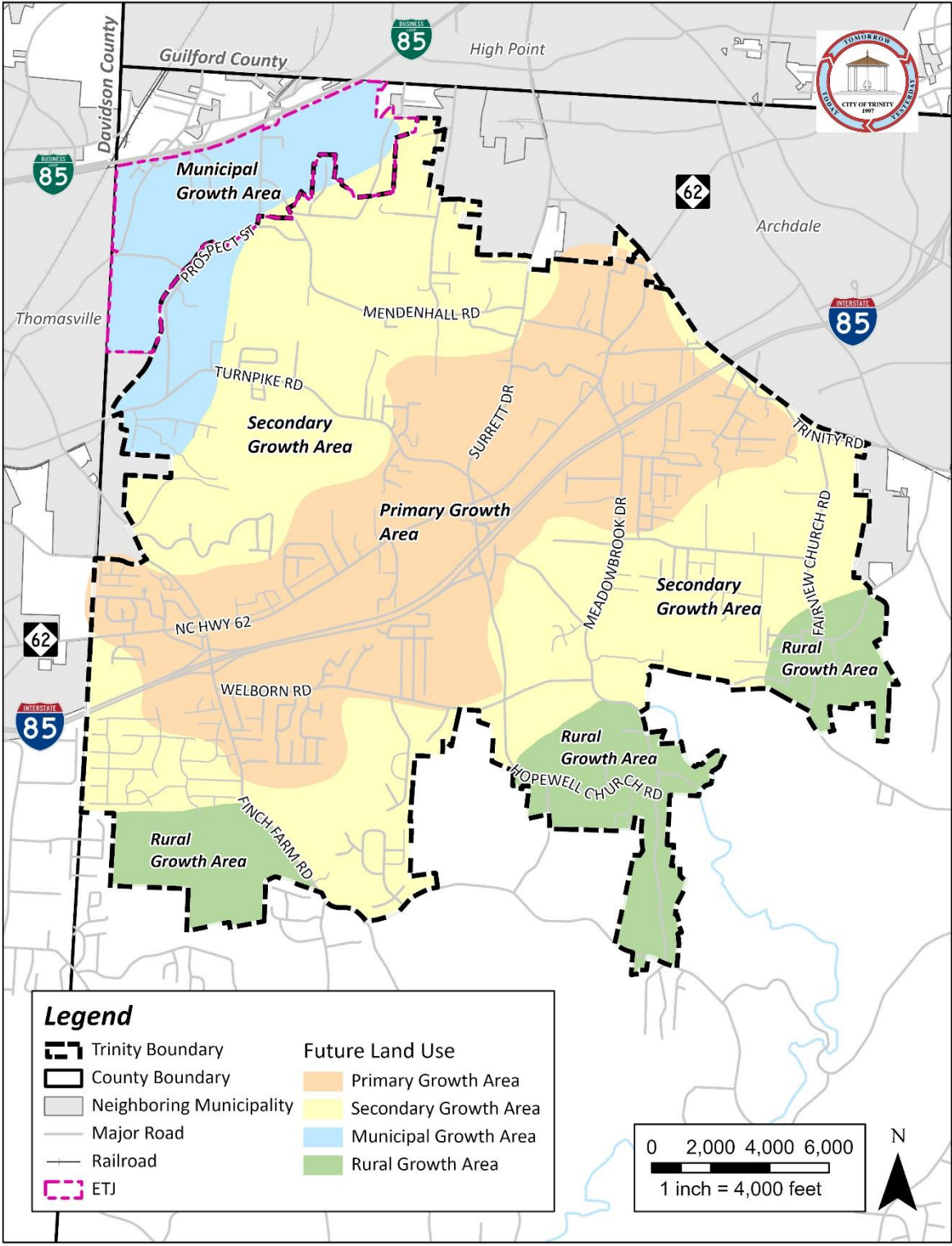
Transitional residential development is predominant in this area with major subdivisions scattered between agricultural and commercial land use patterns. Public sewer infrastructure access is not prioritized for these areas. Conventional and low density open space residential subdivisions are expected with neighborhood serving commercial uses where appropriate.

SECONDARY GROWTH AREA CHARACTERISTICS:

- Medium density.
- Unlikely to have access to sewer within the foreseeable future.
- Predominately residential.
- Contains scattered agricultural areas.

- Includes land available for development.
- Contains natural scenic, historic and other heritage assets.

VISION TRINITY FUTURE LAND USE MAP



REZONING CRITERIA

Article XVII, Amendments and Changes of the Zoning Ordinance states:

Section 17-1 Motion to Amend.

(1) Council Authority to Amend - The City Council may, on its own motion or upon the recommendation of the Planning Board, staff or upon petition by any person within the zoning jurisdiction, after public notice and hearing, amend, or repeal the regulations or the maps which are a part of this ordinance. No regulation or maps shall be amended, supplemented, changed, modified, or repealed until after a public hearing in relation thereto, at which all parties in interest and citizens shall have an opportunity to be heard. Third-party down-zonings shall be prohibited.

(2) Notice and Public hearing on Amendment Planning and Zoning Board Review

- a. Posting of Property – When a zoning map amendment is proposed, the local government shall prominently post a notice of the hearing on the site proposed for the amendment or on an adjacent public street or highway right-of-way. The notice shall be posted within the same time period specified for mailed notices of the hearing. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required but the local government shall post sufficient notices to provide reasonable notice to interested persons.
- b. Mailed Notice – Notice to abutting property owners shall be sent no less than ten (10) days prior to the public hearing but not more than twenty (25) days. For the purpose of this section, properties are "abutting" even if separated by a street, railroad, or other transportation corridor (NCGS 160D-602).

City Council Public Hearing

- c. Hearing with Published Notice. - Before adopting, amending, or repealing any ordinance or development regulation authorized by 160D-601(a), the governing board shall hold a legislative hearing. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date scheduled for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.
- d. Mailed Notice – Notice to abutting property owners shall be sent no less than ten (10) days prior to the public hearing but not more than twenty (25) days.

(3) Information and Fee Required from Applicant and Processing of Information - Applicants must present the following information:

1. a completed rezoning application.
2. an accurate survey of the property to be rezoned,
3. a deed or legal description which establishes ownership, and.
4. if the proposed zoning boundary splits an existing parcel, a metes and bounds description shall be required in addition to the survey.

A rezoning fee established by the City Council shall be required. Processing of zoning amendment applications shall begin within ninety (90) days from submission to the City Clerk. However, this requirement is not intended to prevent the Planning Board or City Council from delaying action after review by either body. If more than one tract or parcel is being sought for rezoning at the same time by a single applicant, each parcel having a different zone shall constitute a separate rezoning request.

(4) Planning Board Review – Subsequent to initial adoption of a zoning ordinance, all proposed

amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comments. Any development regulation other than a zoning regulation that is proposed to be adopted pursuant to 160D-604 may be referred to the planning board for review and comment. If no written report is received from the Planning and Zoning Board within thirty (30) days of referral of the amendments to the Board, the City Council may proceed in its consideration of the amendment without the Planning Board report. The Council is not bound by the recommendation, if any, of the Board.

- (5) Plan Consistency - The Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

The Planning Board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the planning board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.

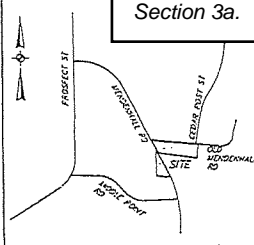
- (6) Council Statement – Prior to adopting or rejecting any zoning amendment, City Council must adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the Council considers the action taken to be reasonable and in the public interest. When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board (NCGS 160D-605).
- (7) Withdrawal of Request - Any applicant for rezoning may withdraw his/her petition any time prior to consideration by the Planning Board. If the applicant should choose to withdraw his/her petition after being reviewed by the Planning Board but before it is to be considered by the City Council, he/she must do so in writing no later than 5 p.m. on the first Friday following the last Planning Board meeting where the item was dispensed. Failure to withdraw the rezoning petition by that time, shall cause it to advance automatically to the City Council for consideration at their next regular session, provided however that City Council may in its discretion, allow the withdrawal of a rezoning petition at any time for cause upon request by an applicant.
- (8) Resubmission of Application - Should a petition for the amendment of these regulations and/or maps be denied by action of the City Council, the applicant may resubmit an application for rezoning for the same tract or parcel within the same calendar year so long as the request for rezoning is dissimilar to the original request denied by the City Council. Should the second request be denied by the City Council, the applicant must withhold all petitions for rezoning said tract or parcel for a period of twelve (12) months from the date of the second denial by the City Council.



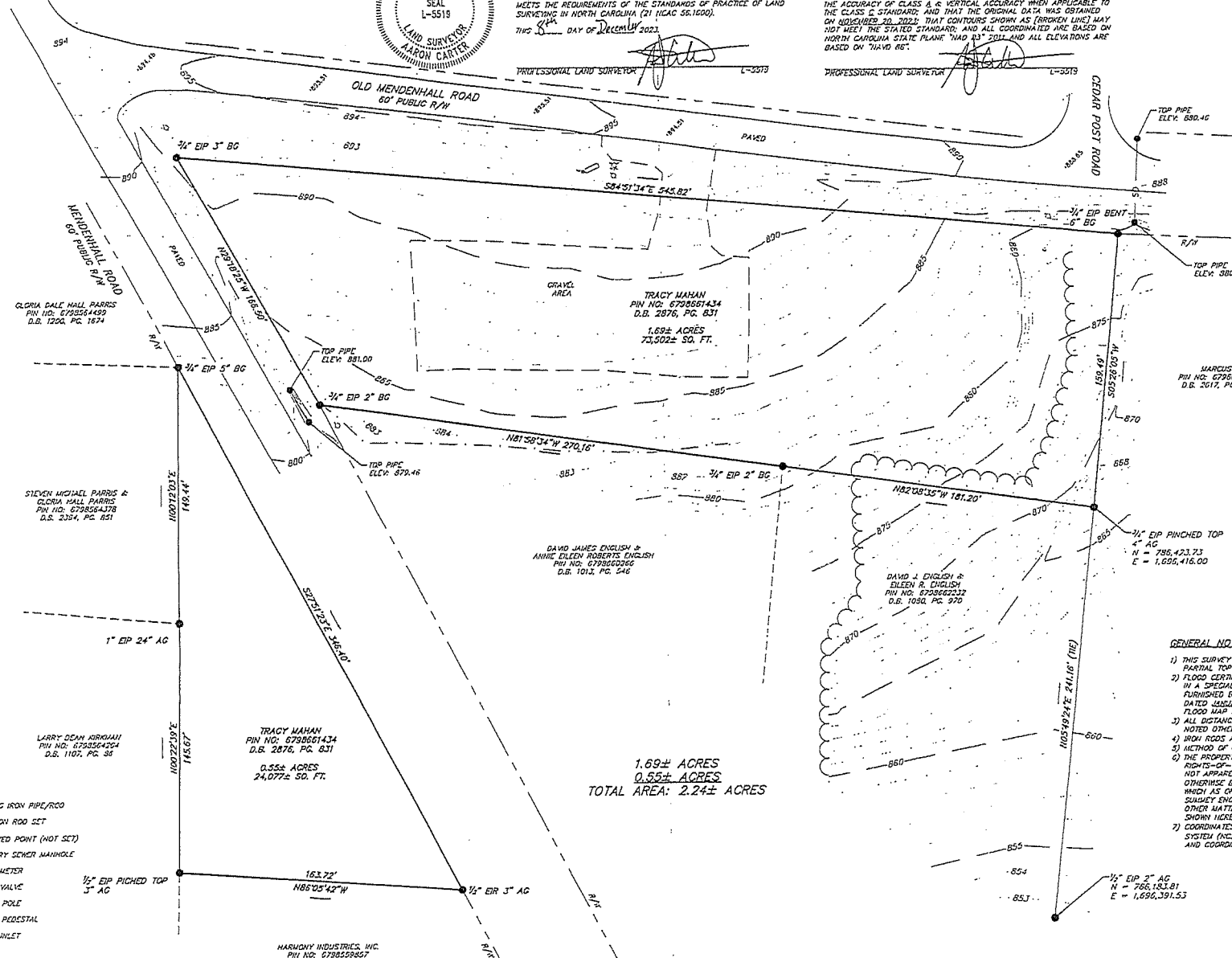
I, AARON CARTER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (SEE DESCRIPTION RECORDED IN BOOK 2876, PAGE 831), THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK AND PAGE (AS SHOWN), THAT THE RATE FREEDOM OR POSITIONAL ACCURACY IS 1:10,000± AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE OF LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1000).

THIS DAY OF DECEMBER 2023.

I, AARON CARTER, CERTIFY THAT THIS PROJECT WAS COMPLETED UNDER MY DIRECT AND RESPONSIBLE CHARGE FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. THAT THIS GEODEMIC SURVEY WAS PERFORMED AT THE 95% PERCENT CONFIDENCE LEVEL TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS; THAT THIS SURVEY WAS PERFORMED TO MEET THE REQUIREMENTS FOR A TOPOGRAPHIC/PLANIMETRIC SURVEY TO THE ACCURACY OF CLASS A & VERTICAL ACCURACY WHEN APPLICABLE TO THE CLASS C STANDARD; AND THAT THE ORIGINAL DATA WAS OBTAINED ON (REGISTERED SD, 2023); THAT CONTOURS SHOWN AS (BROKEN LINE) MAY NOT MEET THE STATED STANDARD; AND ALL COORDINATES ARE BASED ON NORTH CAROLINA STATE PLANE "NAD 83" ZONE AND ALL ELEVATIONS ARE BASED ON "NAVD 88".



VICINITY MAP NOT TO SCALE



GLORIA DALE HALL PARRIS
PIN NO. 6728564439
D.B. 1200, PG. 1874

STEVEN MICHAEL PARRIS &
GLORIA HALL PARRIS
PIN NO. 6728564439
D.S. 2324, PG. 851

LARRY DEAN KIRKMAN
PIN NO. 6728564434
D.B. 1102, PG. 38

TRACY MAHAN
PIN NO. 6728561434
D.B. 2876, PG. 831

DAVID JAMES ENGLISH &
ANNIE EILEEN ROBERTS ENGLISH
PIN NO. 6728562046
D.B. 1013, PG. 548

DAVID J. ENGLISH &
EILEEN R. ENGLISH
PIN NO. 6728562312
D.B. 1086, PG. 570

MARCUS D. RIFE
PIN NO. 6728562312
D.B. 2017, PG. 133

I, AARON CARTER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: A
- (2) POSITIONAL ACCURACY: 0.10'
- (3) TYPE OF GPS FIELD PROCEDURE: RTK
- (4) DATE OF SURVEY: 11/20/23
- (5) DATUM/EPOCH: NAD 83 (2011)
- (6) PUBLISHED/FIXED-CONTROL USE: NCNRS
- (7) GEOID MODEL: 129
- (8) COMBINED GRID FACTOR(S): 0.99999067
- (9) UNITS: U.S. FEET

GENERAL NOTES

- 1) THIS SURVEY IS OF AN EXISTING PARCEL(S) OF LAND AND A PARTIAL TOPOGRAPHICAL SURVEY.
- 2) FLOOD CERTIFICATION: THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SCALED FROM MAPS FURNISHED BY NORTH CAROLINA FLOOD PLAIN MAPPING PROGRAM DATED 08/20/23. 2023. SUBJECT TO REVISION BY DETAILED FLOOD MAP STUDY. SEE COMMUNITY PANEL NO. 1202300000.
- 3) ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS NOTED OTHERWISE.
- 4) IRON RODS AT ALL CORNERS UNLESS OTHERWISE NOTED.
- 5) METHOD OF COMPUTATION IS BY COORDINATE CALCULATION.
- 6) THE PROPERTY IS SUBJECT TO ANY EASEMENTS, AGREEMENTS, OR RIGHTS-OF-WAY FROM THE DATE OF THIS MAP WHICH WERE NOT APPARENT AT THE TIME OF MY INSPECTION AND MIGHT OTHERWISE BE DISCLOSED BY AN ATTORNEY'S TITLE OPINION WHICH AS OF DATE SHOWN HEREON HAS NOT BEEN SUPPLIED TO SURVEY ENGINEERING ASSOCIATES. THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD AFFECTING THIS PROPERTY NOT SHOWN HEREON.
- 7) COORDINATES SHOWN ARE BASED ON THE NORTH CAROLINA GRID SYSTEM (NAD83), NAD 83 (2011), AND NAVD 88 (GEOID 129), AND COORDINATES WERE OBTAINED USING THE NCNRS SYSTEM.

LEGEND

- EXISTING IRON PIPE/RCD
- NEW IRON ROD SET
- COMPUTED POINT (NOT SET)
- SANITARY SEWER MANHOLE
- WATER METER
- WATER VALVE
- UTILITY POLE
- POWER PEDestal
- GRATE INLET

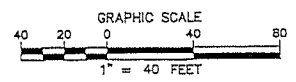
- ADJACENT LINE
LINE SURVEYED
RIGHT OF WAY
EDGE OF PAVEMENT
MAJOR CONTOUR
MINOR CONTOUR
OVERHEAD UTILITY
STREAM DRAIN

ABBREVIATIONS

- EP = EXISTING IRON PIPE/RCD
- ER = EXISTING IRON ROD
- NR = NEW IRON ROD SET
- R/W = RIGHT OF WAY
- AG = ABOVE GROUND
- BC = BELOW GROUND
- FL = FLOOD WITH GROUND

1.69± ACRES
0.55± ACRES
TOTAL AREA: 2.24± ACRES

OWNER:
TRACY MAHAN
2019 KENNEDY ROAD
THOMASVILLE, NC 27360



EX BOUNDARY & PARTIAL TOPOGRAPHICAL SURVEY FOR
TRACY MAHAN
OLD MENDENHALL ROAD
TRINITY TOWNSHIP - RANDOLPH COUNTY - NORTH CAROLINA

Summey Engineering Associates, PLLC
Engineering - Consulting - Surveying
10 Dunsmuir Addition, NC 27104
Phone: 336-928-0202 Fax: 336-928-0222 www.summeyengineering.com
REGISTERED AS A SURVEYING FIRM LICENSE # 00000000000000000000

Scale:	1" = 40'
Date:	12/07/2023
Drawn By:	SKH
Checked By:	AJC
Job No.:	







Memorandum

TO: City of Trinity Planning Board

FROM: Jay Dale, Planner

CC: Stevie Cox, City Manager
Robert Wilhoit, City Attorney

DATE: May 20, 2024

REF: Request for Property Rezoning – 0 Surrett Dr.

Summary:

ALEJANDRO ROBLES FUERTE AND MONICA PONCE, Trinity, North Carolina, are requesting that .67 acres located at 0 Surrett Dr. (PIN#7708323924), be rezoned from R-40 (Residential) to HC (Highway Commercial). It is the desire of the property owner to operate an outdoor storage yard as per site plan. The property owner will need to acquire a Special Use Permit to operate an outdoor storage yard.

Attachments:

- Application for Rezoning
- Site Plan and Diagrams
- Property Map (County GIS)
- Site Photographs
- Rezoning Request Summary



City of Trinity Rezoning Request Application

The undersigned does hereby respectfully make application and request to the City of Trinity to amend the Zoning Ordinance and change the Official Zoning Map of the city as hereinafter requested, and in support of this application the following facts are shown:

Zoning: Current Zoning R-40 Requested Zoning HC Special Use permit
Conditional Zoning: _____

Property Owner Information:

Property Owner: Alejandro Robles Monica Ponce
Address: 6953 Quarter Horse Dr.
City: Trinity State: NC Zip: 27370
Phone: (home/work) 336969 1179 (cell) _____
monicaponce88@gmail.com

Applicant Information (note: must show proof as to legally representing property owner):

Applicant: Alejandro Robles
Address: 6953 Quarter Horse Dr.
City: Trinity State: NC Zip: 27370
Phone: (home/work) _____ (cell) _____

Site Information:

PIN # 7708323929
Property Address: 0 Surrett Dr.
Deed Book: 002872 Page: 00255
Area: .67 acres

Are there any structures currently on the property to be rezoned? _____ yes no

List structures: _____

What is the current land use on the property to be rezoned (i.e. commercial, residential, farming, vacant etc.)? _____

What current land uses and zoning are adjacent to the property to be rezoned?

North: Zoning	<u>R-40</u>	Land Use	<u>Vacant</u>
South: Zoning	<u>R-40</u>	Land Use	<u>Vacant</u>
East: Zoning	<u>R-40</u>	Land Use	<u>Vacant</u>
West: Zoning	<u>R-40</u>	Land Use	<u>Vacant</u>

Conditions if requesting Conditional Zoning:

N/A

If the property is rezoned, it is understood by all, that development must conform to the minimum requirements of the City of Trinity Zoning Ordinance and all other development ordinances of the City and of Randolph County.

Deadline for rezoning applications is the first Monday of each month. Incomplete applications will be scheduled for hearing the following month. Fee: \$600.00

Staff Notes:

Alejandro Robles
(name of applicant)

Alejandro Robles
(signature of applicant)

(signature of Zoning Administrator)

(date)

Office Use

Date Received: _____

Fees Paid: _____

Staff Review: _____

Planning Board Review: _____

City Council Review: _____

REZONING REQUEST SUMMARY

On May 28, 2024, the Trinity Planning Board will consider the following request.

ALEHANDRO ROBLES FUERTE AND MONICA PONCE, Trinity, North Carolina are requesting that .67 acres located at Surrett Dr. PIN# 7708323924 be rezoned from R-40 to HC. It is the desire of the property owner to operate an outdoor storage lot. This will also require a Special Use Permit

Application/Site plan issues to consider:

- **Outside storage would be required to meet the fencing/buffering requirements of the Zoning Ordinance.**

Adjoining Zoning:

This site is located at 0 Surrett Dr. PIN# 7708323924. The property to the north and south is zoned (R-40), the property to the east is zoned (R-40), and the property to the west is zoned by (R-40).

Transportation:

Surrett Dr. is maintained by NCDOT.

Future Land Use Category: PRIMARY GROWTH AREA

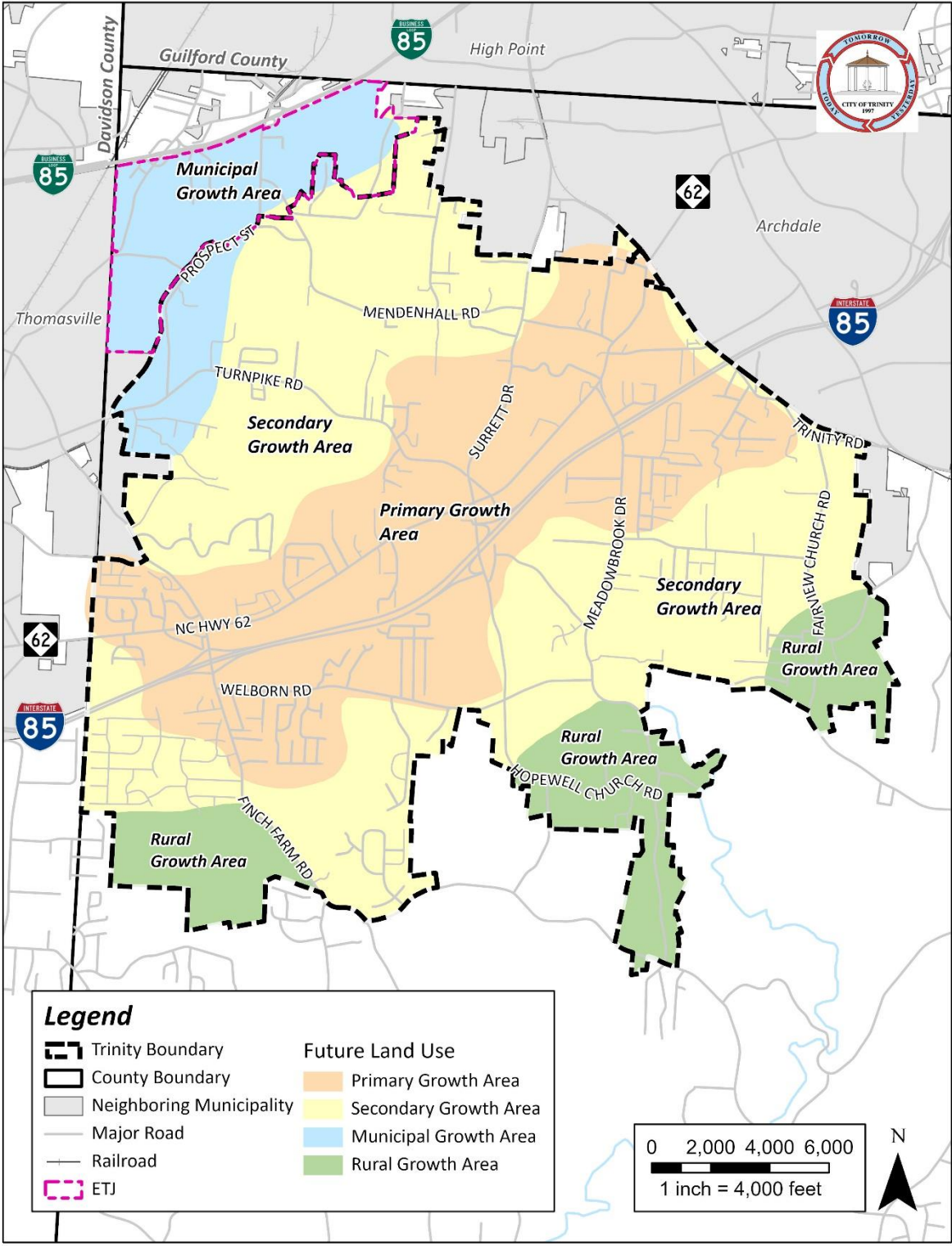
This growth area is located along the I-85 and NC HWY 62 corridors. The area is generally aligned with the City's phased sewer expansion plan to direct the majority of public service demand to a manageable area. It includes areas that are likely to have access to urban infrastructure services such as water and sewer, within the foreseeable future. The Primary Growth Area is predominately mixed use that will include residential and commercial uses. Development adjacent to existing neighborhoods should be designed and scaled to serve those neighborhoods and establish walkable connections with them. Development surrounding the intersections is intended to be of a higher density serving the region as well as the city.

PRIMARY GROWTH AREA CHARACTERISTICS:

- Close to I-85 and NC HWY 62.
- Likely to have access to sewer in the foreseeable future.
- Predominately mixed use including residential, office and commercial.

- Highest density residential development.

VISION TRINITY FUTURE LAND USE MAP



REZONING CRITERIA

Article XVII, Amendments and Changes of the Zoning Ordinance states:

Section 17-1 Motion to Amend.

(1) Council Authority to Amend - The City Council may, on its own motion or upon the recommendation of the Planning Board, staff or upon petition by any person within the zoning jurisdiction, after public notice and hearing, amend, or repeal the regulations or the maps which are a part of this ordinance. No regulation or maps shall be amended, supplemented, changed, modified, or repealed until after a public hearing in relation thereto, at which all parties in interest and citizens shall have an opportunity to be heard. Third-party down-zonings shall be prohibited.

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- b. Mailed Notice – Notice to abutting property owners shall be sent no less than ten (10) days prior to the public hearing but not more than twenty (25) days. For the purpose of this section, properties are "abutting" even if separated by a street, railroad, or other transportation corridor (NCGS 160D-602).

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- c. Hearing with Published Notice. - Before adopting, amending, or repealing any ordinance or development regulation authorized by 160D-601(a), the governing board shall hold a legislative hearing. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date scheduled for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.
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1. a completed rezoning application.
2. an accurate survey of the property to be rezoned,
3. a deed or legal description which establishes ownership, and.
4. if the proposed zoning boundary splits an existing parcel, a metes and bounds description shall be required in addition to the survey.

A rezoning fee established by the City Council shall be required. Processing of zoning amendment applications shall begin within ninety (90) days from submission to the City Clerk. However, this requirement is not intended to prevent the Planning Board or City Council from delaying action after review by either body. If more than one tract or parcel is being sought for rezoning at the same time by a single applicant, each parcel having a different zone shall constitute a separate rezoning request.

(4) Planning Board Review – Subsequent to initial adoption of a zoning ordinance, all proposed

amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comments. Any development regulation other than a zoning regulation that is proposed to be adopted pursuant to 160D-604 may be referred to the planning board for review and comment. If no written report is received from the Planning and Zoning Board within thirty (30) days of referral of the amendments to the Board, the City Council may proceed in its consideration of the amendment without the Planning Board report. The Council is not bound by the recommendation, if any, of the Board.

- (5) Plan Consistency - The Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

The Planning Board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the planning board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.

- (6) Council Statement – Prior to adopting or rejecting any zoning amendment, City Council must adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the Council considers the action taken to be reasonable and in the public interest. When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board (NCGS 160D-605).
- (7) Withdrawal of Request - Any applicant for rezoning may withdraw his/her petition any time prior to consideration by the Planning Board. If the applicant should choose to withdraw his/her petition after being reviewed by the Planning Board but before it is to be considered by the City Council, he/she must do so in writing no later than 5 p.m. on the first Friday following the last Planning Board meeting where the item was dispensed. Failure to withdraw the rezoning petition by that time, shall cause it to advance automatically to the City Council for consideration at their next regular session, provided however that City Council may in its discretion, allow the withdrawal of a rezoning petition at any time for cause upon request by an applicant.
- (8) Resubmission of Application - Should a petition for the amendment of these regulations and/or maps be denied by action of the City Council, the applicant may resubmit an application for rezoning for the same tract or parcel within the same calendar year so long as the request for rezoning is dissimilar to the original request denied by the City Council. Should the second request be denied by the City Council, the applicant must withhold all petitions for rezoning said tract or parcel for a period of twelve (12) months from the date of the second denial by the City Council.



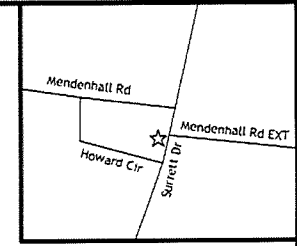
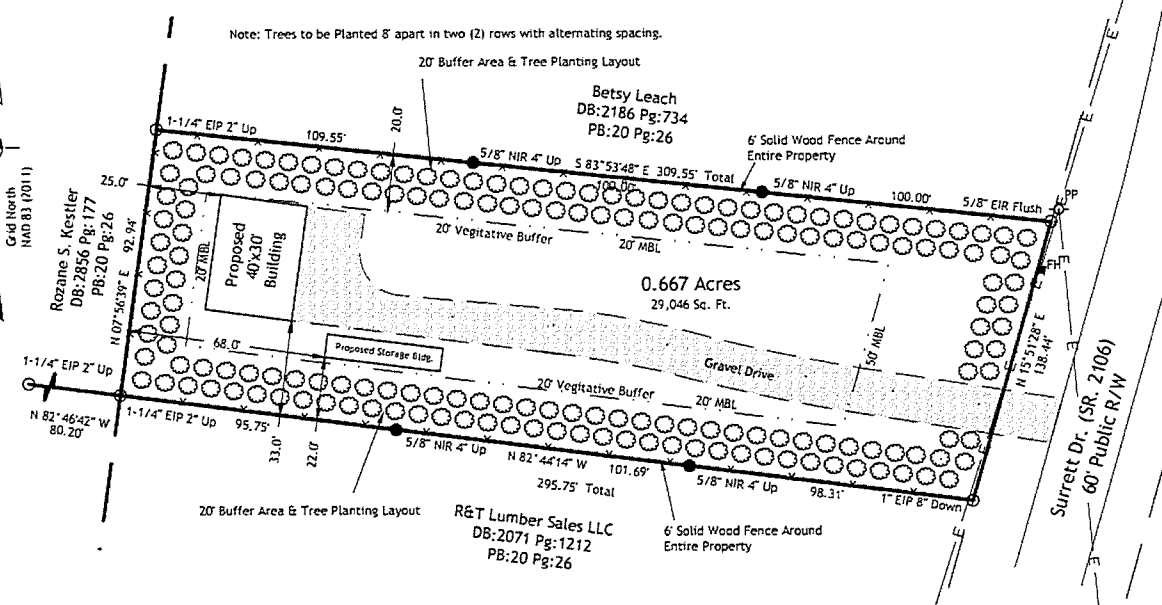
REID	20926	OWNER ADDRESS2	
PIN	7708323924	OWNER CITY	TRINTIY
TAXED ACREAGE	0.67	OWNER STATE	NC
PROPERTY DESCRIPTION	TRINITY PK;L16	OWNER ZIP	27370
DEED BOOK & PAGE	002872/00255	LOCATION ADDRESS	No Physical Address
PLAT BOOK & PAGE	20-26	LOCATION ZIP	No ZIP
OWNER	FUERTE, ALEJANDRO ROBLES (JAIMES, MONICA PONCE)	DATA REFRESHED	1/21/2024
OWNER ADDRESS	6953 QUARTER HORSE DR		



Disclaimer: This map was compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. Randolph County, its agents and employees make no warranty as to the accuracy of the information on this map.

Map Scale
1 inch = 71 feet
 1/23/2024

- Notes:**
1. This project is not located within a special flood hazard area per NCFRIS.
 2. Map #: 3710770800J Effective Date: 01/02/2008
 3. Area calculated by coordinate geometry.
 4. All lines surveyed by Jerry C. Callicutt PLS. are indicated by bold lines. All lines not surveyed by Jerry C. Callicutt PLS. are indicated by dashed lines.
 5. No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
 6. Tax PIN: 7708323924



Location Map
(Not to Scale)

Mendenhall Rd. EXT.
SR 1599

Site Plan For:
**Alejandro Robles Fuerte &
Monica Ponce Jaimez**

Trinity Township Randolph County
North Carolina February 20, 2024

Scale: 1" = 40 US Survey Feet

Bar Scale:



Jerry C. Callicutt
3618 Sainsbury Lane
Greensboro, NC 27409
336 706-9239

Job #: Surratt

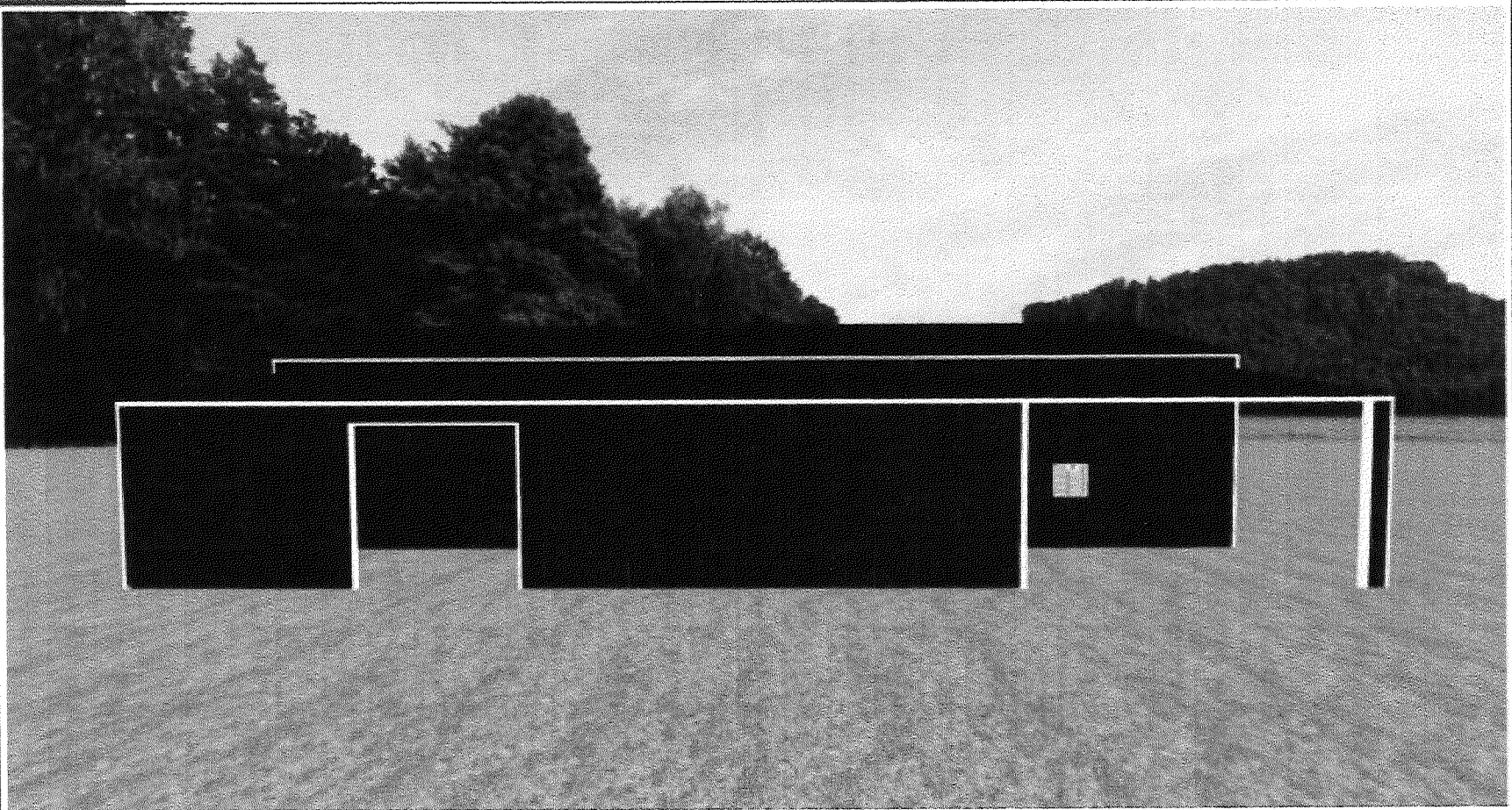
THIS SURVEY IS NOT SUBJECT TO GS 47-30 AND IS
NOT TO BE USED FOR RECORDING

PRELIMINARY PLAT - NOT FOR RECORDATION, CONVEYANCES, OR SALES

Legend

- Property Line
- Computed Property Line
- Right of Way Line
- Easement Line
- Tie Lines
- Old Plat Book Line
- Existing Iron Rod/Pipe
- NIR
- Point Not Set/Computed Point
- Well

BUILDING VIEW







Article 8 Subdivision Regulations

Sec. 8.1	Purpose and Authority
Sec. 8.2	Applicability
Sec. 8.3	Legal Provisions
Sec. 8.4	Approval Process for Subdivisions
Sec. 8.5	General Requirements and Minimum Standards of Design
Sec. 8.6	Streets and Roads
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Sec. 8.8	Sidewalks
Sec. 8.9	Stormwater Control
Sec. 8.10	Lots
Sec. 8.11	Water and Wastewater Facilities
Sec. 8.12	Street Lights
Sec. 8.13	Utility Easements
Sec. 8.14	School Sites
Sec. 8.15	Water Management
Sec. 8.16	Prohibition Against Clearcutting
Sec. 8.17	Street and Perimeter Bufferyards for Major Residential Subdivisions
Sec. 8.18	Open Space Dedication
Sec. 8.19	Homeowners' Association
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Sec. 8.21	Procedures for Final Acceptance of Subdivision Development

Sec. 8.1 Purpose and Authority

Pursuant to authority granted by NCGS 160D-801, the purpose of this Article is to promote the public health, safety, and general welfare by providing for the orderly subdivision of land in the City of Trinity. Among other reasons, this Article is deemed necessary to (1) assure the appropriate layout and use of land; (2) provide safe, convenient and economic circulation of vehicular traffic; (3) provide for the dedication of reservation of street rights-of-way, utility easements and public facility sites; (4) assure the proper installation of streets and utilities; (5) avoid undue concentrations of population; and (6) insure proper legal description, identification, documentation and recordation of property boundaries.

Sec. 8.2 Applicability

A. Application of Article

1. Unless exempted by NC 160D-802 (see Article 10 Definitions) Unless exempted under NC 160D-802 see Article 10, Definitions, for the definition of a subdivision) this Article is applicable to all divisions of a tract or parcel of land into two or more lots, building sites or other division, for the purpose, whether immediate or future, of sale or building development and shall include all divisions of land involving the dedication of a new street or a change in existing streets.

2. No lot or plat within the City of Trinity's zoning jurisdiction and subject to the subdivision regulations shall be transferred, nor shall a plat or record thereof be recorded by the Randolph County Register of Deeds until a final plat of the subdivision has been submitted to and approved by the appropriate authority. Such approval shall be indicated on the face of the plat and signed by the City of Trinity Planning Director or designee.
3. The Register of Deeds shall not file a plat or record of subdivision of land within the city's jurisdiction nor shall the Clerk of Superior Court order such recording without the required certification and signature of the Planning Director or designee.
4. The approval of a plat pursuant to this Article shall not be deemed to constitute or affect the acceptance by the City or the public of the dedication of any street or other ground, public utility line or other public facility shown on the plat.

B. Exempt Subdivisions

The following shall not be included nor be subject to the regulations prescribed by this Article:

1. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the city as described herein;
2. The division of land into parcels greater than ten acres where no street right-of-way dedication is involved;
3. The public acquisition by purchase of strips of land for the widening or opening of streets;
4. The division of a tract in single ownership, the entire area of which is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of this Article; and
5. The division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the NC General Statutes.

Plats not subject to the provisions of this Article may be recorded provided the owner desiring to record such plats shall obtain a Certificate of Exemption from the Planning Director or designee and shall present such certificate to the Register of Deeds Office as proof that one of the conditions of exception noted above is present.

C. Approval Required for Zoning Permit

No zoning permit shall be used for the erection of any building on any lot within a subdivision unless a final plat of such subdivision has been approved as required by this Article or a certificate of exemption obtained, provided, however, that this shall not apply to any subdivision recorded by the County Register of Deeds prior to August 27, 1997, the first effective date of this Article.

Sec. 8.3 Legal Provisions.

A. Penalties for Transferring Lots in Unapproved Subdivision

Any person who, being the owner or agent of the owner of any land located within the subdivision regulation jurisdiction of the City of Trinity who subdivides such land in violation of this Article or transfers or sells any part of such land by reference to, exhibition of or any other use of a plat showing a subdivision of land before such plat has been properly approved under the provisions of this Article and recorded in the office of the Randolph County Register of Deeds, shall be subject to civil penalties.

This Article may also be enforced by injunction, order of abatement or other equitable remedy upon application to the General Court of Justice. Zoning permits required pursuant to G.S. 160D-1110 may be denied for lots that have been illegally subdivided.

B. Separability

Should any section or provision of this Article be for any reason held void or invalid, it shall not affect the validity of any other section or provision hereof which is not itself held void or invalid.

C. State Platting and Disclosure Statement Requirement

All developers planning to sell lots not platted and recorded prior to October 1, 1975, are advised to consult N.C. General Statute 136-102.6 "Compliance of Subdivision Streets with Minimum Standards of the Board of Transportation," which requires that all new streets, whether public or private, and all changes in streets be platted. N.C.G.S. 136-102.6 also requires the developer to furnish to each lot purchaser a Subdivision Streets Disclosure Statement revealing the status of new streets, whether they are constructed to N.C. Department of Transportation standards, and who will bear maintenance responsibility for the streets. No provision of this Article or of any other local Ordinance shall exempt a division of land from the provisions of N.C.G.S. 136-102.6.

Sec. 8.4 Approval Process for Subdivisions

A. Major Subdivision Preliminary Plats

This Section describes the process for the review and approval of preliminary plats for subdivisions of land resulting in four (4) or more lots.

1. Submission Requirements

Three copies of a plat, prepared according to specifications in the City of Trinity Development Manual shall be presented to the Technical Review Committee for all major subdivisions.

2. Technical Review Committee Review

The Technical Review Committee shall review the preliminary plat and suggest recommended changes prior to Planning Board review. The Technical Review Committee shall make a recommendation on the major subdivision to the Planning Board and City Council within sixty (60) days of its submission.

3. Planning Board Review

The Planning Board shall review the preliminary plat and send their recommendation to the City Council for a final decision.

4. City Council Decision

Decisions or approval or denial of subdivision plats may be made only on the basis of standards explicitly set forth in the Land Management Ordinance.

B. Major Subdivision Final Plats

This Section describes the process for the review and approval of final plats for subdivisions of land resulting in four (4) or more lots.

1. Submission Requirements

Following approval of the preliminary subdivision plat, the applicant shall submit three copies of the final subdivision plat and any deed restrictions applying thereto to the Planning Director or designee for approval.

2. Improvements and Certificates

No final plat shall be approved until all improvements are installed or guaranteed as set forth in Section XXX and all certificates required for final plats by this Article or approvals by state law have been properly completed and signed.

3. Recordation

The approval of the final plat by the Technical Review Committee shall be on condition that such plat is recorded in the Office of Register of Deeds within 60 days after approval.

C. Minor Subdivision Plats

This Section describes the process for the review and approval of plats for subdivisions of land resulting in three (3) or fewer lots.

1. Submission Requirements

Three copies of a plat, prepared according to specifications in the City

of Trinity Development Manual. shall be presented to the Technical Review Committee for all minor subdivisions.

2. Review Procedure

The Technical Review Committee shall review each minor subdivision and shall make a recommendation of approval, denial, or conditional approval to the Planning Director or designee

3. Planning Director Approval

If the Planning Director or designee approves the proposed minor subdivision, a certificate of approval for recording, found in the City of Trinity Development Manual shall show such approval.

Sec. 8.5 General Requirements and Minimum Standards of Design

A. General

Subdivisions of land shall be configured in a manner that promotes orderly development, adequately considers the natural topography and drainage features of the site, and the type of development proposed.

B. Compliance with Official Plans and Ordinances

Land shall be subdivided in compliance with the City of Trinity Land Management Ordinance, Water Management Ordinance and other pertinent official development plans and ordinances.

C. Road Frontage

No building shall be erected on a new lot created after the adoption of this Ordinance that does not have access, directly or by an easement, to a road whether publicly or privately maintained. All private roads shall be constructed and maintained under the specifications outlined in Section XXX.

All lots in a subdivision must have a minimum frontage of 50 (fifty) feet on an approved public or private paved road unless lot access is provided via an exclusive access easement meeting the requirements of Section XXX . Reserve strips controlling access to streets shall not be allowed within subdivisions approved after adoption of this Article.

D. Special Purpose Lots

Requirements of this Article with respect to street frontage, minimum lot area, and minimum lot dimensions shall not apply to lots for cemeteries, sewer lift stations, radio, television, and communication towers, and similar utility uses. Such lots shall comply with the following requirements:

1. **Minimum Size.** The special-purpose lot shall be permitted only after the Administrator has determined that the proposed lot has sufficient dimensions to accommodate the intended use and, where required by this Ordinance, planting yards.

2. **Access.** Access lots established for the purpose of sewage treatment shall have a minimum of 20' of direct access or platted easement to a public or private street/lane unless the Administrator determines wider access is practically necessary for the purpose of the lot. Direct access or easements that provide access for the supply lines only from the lot it serves to the special-purpose lot may be a minimum of 20'. All easements shall be labeled "easement for ingress, egress, and regress for, etc.".
3. **Platting.** The subdivision to create the lot shall be approved in accordance with Article 10 Subdivisions. The final plat shall label the lot as a "special-purpose lot for use as..." A lot created for an individual septic system shall carry the number of the lot or lots it serves and the letter "A".
4. **Conveyance.** A special-purpose lot for an individual off-site septic system shall be conveyed by deed and easement with the lot for which sewage treatment is provided.

E. Lot Area in Right-of-Way

No land area of the lot which lies within the public street right-of-way may be used for the purposes of calculating lot area or any other lot dimensional requirements. If a portion of the lot is dedicated as public right-of-way as a condition of site plan approval, that area may not be used for lot area or building setback requirements.

Sec. 8.6 Streets and Roads

- A. The design of all public streets and roads within the City of Trinity shall conform to the minimum standards set forth in the most recent edition of "Subdivision Roads Minimum Construction Standards" as published by the N.C. Department of Transportation, Division of Highways.
- B. Effective XXX, any internal subdivision streets shall be constructed, approved and accepted by the City of Trinity in accordance with Article XX of the City's municipal code: Streets, Sidewalks and Streetlights---- of the City's general ordinances.
- C. Disclosure and approval by the Division of Highways shall comply with G.S. 136-102.6.
- D. All street-names and signs shall conform to Randolph County and City of Trinity standards and shall be posted at intersections showing the name of every street. New streets, which are obviously in alignment with others already named and existing, shall bear the names of the existing streets. In no case shall the names of new streets phonetically resemble existing street names.
- E. Where possible, roads should be located outside of watershed critical areas and watershed vegetated conveyance areas. Roads constructed within these areas shall be designed and constructed to minimize their impact on water quality.

F. Access to Adjoining Property

Means of ingress and egress for properties adjoining the subdivision shall be provided, except where one (1) or more of the following conditions exists:

1. Existing cross-access drives, service roads, or side streets provide sufficient access to the subject property and adjoining property;
2. There are incompatible land uses on adjoining properties that should not be connected by a cross-access drive (e.g., commercial or industrial uses where the only access is through residential areas);
3. The adjoining property does not abut the subject property with adequate frontage for a connecting public road;
4. An unimpeded motor vehicle connection cannot be made through the subject property to the adjoining property within the required cross-access drive easement. Examples of impediments include existing building or utility obstructions, significant natural or man-made features and existing topographic grades that would impede traffic circulation on the subject property;
5. Applicants may be asked to provide supplemental information to determine whether or not the above exceptions apply.

G. Subdivision Entrance and Names

All subdivisions requiring the development of new public roads must be named. A sign clearly indicating the name of the subdivision shall be posted at each entrance to the subdivision, but not in the median or green zone. The entrance roadway shall consist of a landscaped median extending at least twenty (20) feet in length and the median width or green zone of at least eight (8) feet in width measured from the edge of pavement from the main road accessing the subdivision. The start of the median should not create any sight distance issues with the intersection as determined by NCDOT as part of Technical Review Committee review. The size of any trees planted within the median shall be limited to a two (2) inch caliper at breast height maximum so as to not block sight lines or potentially damage entering trucks. Crepe myrtles or similarly sized vegetation, or trees of a smaller size are recommended. As an alternative to building a median, a developer may choose to provide at least a twenty (20) foot wide natural or planted bufferyard twenty (20) feet in length on both sides of the entrance roadway. Said bufferyard shall conform with the requirements presented in the City of Trinity Land Management Ordinance Article XX Section XX.

H. Cul-de-Sacs

Cul-de-sacs or other dead-end streets shall be provided at the closed end with sufficient right-of-way for vehicular turnarounds.

1. Circular rights-of-way at the closed end shall have a minimum radius of sixty (60) feet and the surfacing shall have a minimum radius of forty-eight (48) feet.
2. Future pedestrian or trail connections to development of adjacent property shall require the dedication of at least twenty (20) feet of easement at the end of the cul-de-sac to the edge of the property to facilitate pedestrian and trail connections with future developments.
3. Cul-de-Sacs shall be no more than 800 feet in length, except as approved by the Technical Review Committee to address topographic challenges, accommodate natural features, or to better utilize an irregularly shaped property.

I. Development Entry Points

All subdivisions shall provide a minimum number of entry points to the development from the street system outside the development corresponding to the number of residential units within the subdivision. 50 or fewer units requires a minimum of one (1) entry point. 51-150 units requires a minimum of 2 entry points. 151 units or more requires a minimum of 3 entry points. The Technical Review Committee may allow stub streets to count as a development entry point when there is a reasonable likelihood of the stub street connecting to a future roadway. Development shall be exempted from this requirement if it is demonstrated the following conditions apply:

1. No other street access points can be located to the site due to existing lot configurations, absence of connecting streets, environmental, or topographic constraints;
2. NCDOT will not authorize the required number of entrances; or
3. Alternative access can be provided in a manner acceptable to the City that is supported by a transportation impact analysis.

J. Curb and Gutter

All new public streets shall require a standard or valley curb and gutter system in all Urban Residential (UR) general and conditional zoning districts and all non-residential zoning districts

K. Blocks

Blocks shall be laid out with due consideration given to traffic circulation patterns and contemplated use. Blocks shall not be more than 1,000 feet in length, except as considered necessary to secure efficient use of land or desired features of street pattern by the Technical Review Committee. In blocks over 800 feet in length one or more protected crosswalks not less than ten (10) feet in width with curb bulb-outs extending entirely across the street may be required at locations deemed necessary by the Technical Review Committee.

L. Private Roads

Private roads or drives shall be permitted only in the following circumstances:

1. Developments which by the nature of their design could not occur if required to meet DOT subdivision road standards, as for example residential developments under unified or homeowner association control (mobile home parks, apartment complexes, attached housing, Planned Development, etc.) and commercial or industrial development under unified control.
2. Private or public roads are required for access to three (3) or more lots.
3. The further subdivision of residential lots approved prior to August 21, 1997, which abut existing private roads shall be allowed when the resulting subdivision is a minor subdivision of no more than three (3) lots.

However, when the resulting subdivision is a major subdivision of four (4) or more lots, the subdivision shall not be permitted without upgrading the private road to a public road per standards established by the City of Trinity or NCDOT and until said streets are built according to approved plans or proper assurance of completion is accepted by the City of Trinity Public Works Director or NCDOT.

This section shall not apply to commercial and industrial subdivisions and lots served by sewer.

4. Where permitted, private roads shall be constructed in compliance with the following conditions:
 - a. The developer shall sign a certificate attesting to the fact that an instrument will be recorded with the final plat which guarantees:
 - 1) a right of access by all lots served by the private road; and
 - 2) a full disclosure of the state of the road and specific road maintenance responsibilities (as required by G.S. 136-102.6) and that these listed items shall run with the land. (A maintenance agreement shall have been previously agreed to by the City of Trinity Council and the City Attorney).
 - b. All developers who incorporate private roads into their subdivisions, including minor subdivisions, shall be required to present plans to the Technical Review Committee for review and approval.
 - c. Design standards for private roads, which are listed in the City of Trinity Development Manual.

- d. No private road within the City of Trinity shall be longer than 1,320 feet. Also, no private road, created after the adoption of this Ordinance shall serve more than six lots. All private roads shall connect to a public road. This provision shall not apply to driveways accessing 2 or fewer lots

Sec. 8.7 Alternatives to Minimum Road Frontage

A. Exclusive Access Easement

An exclusive access easement shall be the only access to a lot only in the following circumstances:

1. An exclusive access easement shall be a minimum of 25 feet in width.
2. The minimum distance between an exclusive access easement and any other platted right of way shall be one hundred twenty-five (125) ft.
3. The centerline and width of an exclusive access easement must be shown on a plat recorded with the Randolph County Register of Deeds.
4. A maximum of one (1) single-family dwelling and one (1) accessory dwelling unit with uninhabited customary accessory structure(s) shall be accessed with an exclusive access easement.

B. Flag Lots

Flag lots are not permitted within the zoning jurisdiction of the City of Trinity.

Sec. 8.8 Sidewalks

Sidewalks shall be constructed in accordance with the standards detailed in the City of Trinity Development Manual.

Sec. 8.9 Stormwater Control

Subdivisions shall meet the stormwater control standards detailed in the City of Trinity Water Management Ordinance.

Sec. 8.10 Lots

Lots shall be designed in shape, size, and location with due regard to topographic conditions, features of the surrounding area, contemplated use and official plans and ordinances.

- A. Marginal Land. Land subject to flooding or land which may aggravate the flood hazard or increase danger to life or property if developed, and land uninhabitable for other reasons, shall not be considered platted for occupancy by a building and shall not be used in determining the minimum lot area or maximum lot depth.

- B. Frontage on a Public Street. Every lot shall front or abut a public street (except

where private roads are permitted) and shall have a minimum frontage equal to the minimum lot width required by the dimensional requirements for each zoning district but no less than 30 feet.

- C. Side Lot Lines. Side lot lines shall be substantially at right angles to straight street lines or radial to curved street lines.

Area and Dimensions of Lots. All lots shall conform to the minimal dimensional requirements for each zoning district as prescribed in the Table of Area and Yard Requirements of the City of Trinity Land Management Ordinance.

Sec. 8.11 Water and Wastewater Facilities

- A. New subdivisions shall connect to the City of Trinity municipal wastewater system and the public water system provided by Davidson Water, Inc. according to the specifications and approval of the appropriate state agencies. In areas where public water and/or sewer are not available, the developer shall install private systems that have been approved by the appropriate County or State agency.
- B. Where public water and wastewater facilities are not available and individual water supplies or individual sewage disposal systems are planned, the developer, at his own expense, shall have the site investigated by the Randolph County Health Department or other authorized, qualified, individual, firm or agency, to determine whether or not such individual facilities are feasible and shall present proof to the Planning Director or designee that such analysis has taken place.
- C. Where individual septic tank systems are planned, minimum lot sizes specified in this Article may need to be increased as required by the Randolph County Health Department.
- D. Water supply and sewage facilities shall comply with applicable state and county health and environmental laws and regulations. (See the City of Trinity Development Manual. for water and waste disposal approval requirements).

Sec. 8.12 Street Lights

All public streets, sidewalks, and other common areas or facilities in subdivisions shall be sufficiently illuminated to ensure the security of property and the safety of person using such streets, sidewalks, and other common areas or facilities. Streetlights are to be installed by the developer in accordance with the City of Trinity Development Manual and Article XX of the City's Municipal Code: Streets, Sidewalks and Streetlights.

Sec. 8.13 Utility Easements

Easements are required to provide for public service poles, wires, conduits, storm or sanitary sewers, storm drainage channels, surface overflow, gas, water or heat mains, or other utilities. The location and size of utility easements shall meet the requirements of the City of Trinity Design Manual and approved by the Technical Review Committee.

Sec. 8.14 School Sites

Where a school site is shown on a publicly approved plan, recorded with the Register of Deeds and requested by the local Board of Education, such site shall either be dedicated for the public purposes at the option of the property owner or reserved for acquisition by the appropriate public body for a period not exceeding 18 months from the date of approval of the preliminary subdivision plan.

Sec. 8.15 Water Management

All subdivision shall comply with the City of Trinity Water Management Ordinance, to include any water course or dry branch of any type running through or within 150 feet of the property proposed for subdivision. Lots located entirely in the flood plain shall not be sold for residential purposes.

Under no circumstances shall lots be sold for construction that is are entirely within a floodplain.

Sec. 8.16 Prohibition Against Clearcutting

There shall be no clearcutting in any development or vacant parcel in excess of one acre within the Trinity City Limits or its ETJ without first having applied for and received approval from the Trinity City Council. The term “clearcutting” shall refer to the large-scale, indiscriminate removal of trees, shrubs, and undergrowth with the intention of preparing real property for non-agricultural purposes. The provisions of this Section shall not regulate bona fide forestry activity as defined in North Carolina General Statute 160D-921, provided, however, that following a permitted timber harvest that has the result of removing all, or substantially all, of the trees protected under this or another City ordinance, no preliminary or final Subdivision Plat for the parcel(s) shall be approved for three years following the conclusion of the harvest per the authority granted in North Carolina General Statute 160D-921(c)(1)(a).

Sec. 8.17 Street and Perimeter Bufferyards for Major Residential Subdivisions

Street and Perimeter Bufferyards shall be installed for Major Residential Subdivisions in accordance with the Landscaping Standards of Article VI.

Sec. 8.18 Open Space Dedication

Open space meeting the standards of Article XX shall be included in all Major Residential Subdivisions.

Sec. 8.19 Homeowners’ Association

In all new major residential subdivisions, a homeowner’s association or similar entity shall be established to manage and maintain private streets, perimeter

bufferyard, open space, and other common areas and facilities.

A. Homeowners' Association Requirements:

1. Common ownership of the open space by a Homeowners' Association that assumes full responsibility for its maintenance. The restrictive covenants shall provide that, in the event the Homeowners' Association fails to maintain the open space according to the standards of this Article, the City may, following reasonable notice:
 - a. Demand that deficiency of maintenance be corrected; or
 - b. Enter the open space to maintain same. The cost of such maintenance shall be charged to the Homeowners' Association.
2. The Homeowners' Association shall be responsible for the upkeep and maintenance of the perpetual bufferyard around the perimeter of the subdivision. It is the intent of the City that all buffers will be maintained in their natural state and will not be excessively pruned or trimmed. Pruning and trimming is permitted as necessary to maintain compliance with all other town regulations, such as those prohibiting obstruction of roadway sight distances or obstruction to the free use of public sidewalks or streets. Infectious, invasive, exotic, dead, and damaged trees may be removed if no damage is done to other vegetation.

B. Restrictive Covenants

A Restrictive Covenants document shall be included as deed restrictions on any and all lots in the subdivision. The document shall determine responsibility and provide provisions for the upkeep and maintenance of all commonly owned land and improvements by the Homeowners Association or as assigned to an individual property owner by deed.

C. Escrow Account

The HOA shall establish an escrow account, which shall only be used for the upkeep, maintenance, repair, and reconstruction of all commonly owned land and improvements to include private roads within the development. If commonly owned land and improvements are not properly maintained, the City of Trinity, in its sole discretion, may remedy the situation, and in such instances, the City of Trinity shall be fully reimbursed from the escrow account. Escrowed funds shall not be spent for routine landscaping maintenance items such as mowing. See XXX for all improvements that require an escrow account.

D. Restrictive covenants shall include a financial statement certifying compliance with the escrow account requirements therein.

E. HOA information shall be recorded with the Register of Deeds and noted on the final subdivision plat at the time of recording.

Sec. 8.20 Improvements Required Prior to Approval of Final Plats

A. Installation of Improvements

No subdivision plats shall be granted final approval until the required improvements have been made in accordance with the provisions of this Article.

B. Guarantee of Improvements

Guarantee of Improvements. Grading and base construction for streets must be installed prior to submission of the plat for final approval. Where other required improvements have not been completed, the approval of said plat shall be subject to the requirements of NCGS 160D-804.1 by one of the following methods:

1. Cash or certified check.
2. Performance or surety bond executed by a company duly licensed to do business in the State of North Carolina.
3. Irrevocable letter of credit

C. Submission Requirements

Data demonstrating compliance with the improvement requirements, as-built drawings of infrastructure improvements, and roadway and utility engineering certifications must be prepared and submitted along with the final plat for final approval by the Technical Review Committee. See the WMO ordinance and Streets, Sidewalks, Streetlights for additional requirements. Three (3) hard copies, .pdf and .dwg or .dsf files of the final plat and all plans, profiles, specifications, and other required information shall be provided for Technical Review Committee review. Specifications for final plats are listed in the City of Trinity Development Manual.

D. Required Improvements

The following improvements and requirements shall be fulfilled or guaranteed before a final plat shall be approved by the Technical Review Committee and the Planning Director for recording:

1. Public Streets. Streets and all associated improvements, to include storm drains, grading, base, and paving, shall be constructed by the developer in accordance with the specifications and standards of the N.C. Department of Transportation, Division of Highways and shall be approved by the City. As-built drawings shall be required prior to acceptance.
2. Private Streets constructed in accordance with Section XXX and approved by the City of Trinity Public Works Department. The word private shall be clearly stamped on the final plat and this shall be

recorded with all conveyances along with road maintenance provisions. Design standards for private roads are noted in the City of Trinity Development Manual. As-built drawings shall be required prior to acceptance.

3. Utilities. The developer shall install public water mains and sanitary sewers where existing public utilities are available. In other areas the developer shall install either individual private lot or private community water and/or sewer systems. If such installation is made, the developer shall comply with all rules and regulations prescribed for private and/or community water supply and waste disposal by the Water Resources Division of the North Carolina Department of Environmental Quality, the Randolph County Health Department, and the Sewer Use Ordinance of the City of Trinity and with all regulations and construction specifications of any municipality to whose utility system such water mains and/or sanitary sewers may eventually be connected. DEQ approval, engineering certification, and as-built drawings shall be required prior to acceptance.

Electrical utilities and communication lines shall be installed with arrangements made by the developer with the utility company or cooperative authorized to serve the area of the subdivision. Installation shall be in keeping with the latest accepted design standards and procedures along lot lines.

Electrical and communication lines shall be installed underground within major subdivisions unless the Public Works Director determines underground installation is not feasible due to physical constraints.

Utilities, which encroach upon the State Highway system, shall require an Encroachment Contract executed by the person or firm responsible for maintenance.

4. Water Supply and Sewage Disposal on Individual Lots When Public Water and Sewer are Unavailable. The size, location, soil conditions and drainage of all lots in the subdivision shall be approved by the Randolph County Health Department relative to individual water supply and sewage disposal systems. Water supply and waste treatment approval requirements are noted in the City of Trinity Development Manual.
5. Erosion Control. The developer shall mulch, seed, sod or otherwise protect all grading, excavations, open cuts, side slopes and other land surface disturbances.

It is also the developer's responsibility to comply with the North Carolina Sedimentation and Pollution Control Act and the City of Trinity Water Management Policies. The developer is to contact the Energy Mineral

and Land Resources Division of the North Carolina Department of Environmental Quality (NCDEQ), which agency provides technical assistance and enforcement of the Sedimentation and Pollution Control Act. An approved copy of the Sedimentation and Erosion Control Plan approval by NCDEQ when required.

6. Removal of Rubbish. The applicant or property developer shall remove all cut or fallen trees, stumps, or rubbish from the subdivision.
7. Storm Water Drainage Facilities: The application shall be accompanied by a description of the proposed method of providing storm water drainage. The subdivider shall provide a drainage system that diverts stormwater runoff away from surface waters, incorporates Storm water Control Measures to minimize water quality impacts, and meets the requirements of the City of Trinity Water Management Ordinance. As-built drawings shall be required prior to acceptance.
8. Erosion and Sedimentation Control: The application shall, where required, be accompanied by an approved Sedimentation and Erosion Control Plan approval by the N.C. Division of Land Quality.

Sec. 8.21 Procedures for Acceptance of Subdivision Development

Procedures for final acceptance of subdivision development are included in the City of Trinity Development Manual.

A. Punch list

Near completion of the subdivision development, a punch list will be provided to the owner detailing the deficiencies needing completion.

B. Final plat

The owner will submit a final plat, deed of dedication and maintenance agreement to the Planning Director or designee at the completion of the punch list.

C. Final inspection

After receiving the Final Plat, Deed of Dedication and Maintenance Agreement, the City of Trinity Technical Review Committee will conduct a final inspection. If there are no deficiencies, the Final Plat will be added to the Technical Review Committee agenda for approval. Once the Technical Review Committee approves the Final Plat, permission is granted to begin residential home construction and a building permit can be issued.