

19A NCAC 02C .0203 REQUIREMENTS/ADDITION OF SUBDIVISION ROADS TO THE SYSTEM

The following conditions must be met before the Division of Highways may consider the addition of a subdivision street to the state highway system:

- (1) The minimum construction standards and other requirements in this Section must be a part of the proposal to be reviewed for approval before the subdivision map is recorded in the county Register of Deeds Office.
- (2) The developer or property owners shall submit a petition for addition (DOT Form SR1) to the Department of Transportation.
- (3) Developers or property owners must dedicate right-of-way free of charge and clear of all encumbrances.
- (4) Utilities requiring adjustment or relocation to conform to Division of Highways requirements (See Rule .0204 of this Section) shall be made at no expense to the Division of Highways. Existing or relocated utilities may remain within the right-of-way of any subdivision street added to the secondary road system provided the location of same meets Division of Highways' approval and further provided the utility owner executes an encroachment agreement on forms furnished by the Division of highways.
- (5) At least 20 percent of the lots bordering the street must be individually owned.
- (6) Subdivision access roads must provide ingress and egress for at least five occupied residences for roads less than one mile in length and an average of five occupied residences per mile for roads over one mile in length. A subdivision access road is a road built through vacant property to provide access to the property being developed. This road would not have lots platted along it.
- (7) A minimum of four occupied homes is required for the addition of roads less than two-tenths of a mile in length. Cul-de-sacs less than two-tenths mile in length must serve at least four occupied homes. If four occupied homes are not served, it shall be treated as a private drive.
- (8) Connecting streets with less than the required occupied homes for the length involved may be reviewed as to traffic usage for addition purposes. Traffic usage equivalent to the traffic that would be generated by the correct number of occupied homes may be acceptable.
- (9) Any subdivision street with a right-of-way dedicated, recorded or that has preliminary approval from a county planning board dated after September 30, 1975 shall not be added to the state maintained system unless the street is paved to the minimum construction standards of the Division of Highways for subdivision streets.
- (10) The Division of Highways may consider the addition of streets that serve developments with large lots or parcels that are of the size that the occupied housing requirement of two homes per tenth of a mile cannot be met. The number of occupied homes needed may be a judgment factor based upon the length and the number of lots or parcels involved. The minimum requirement shall be four occupied homes.
- (11) Erosion and sedimentation. All subdivision roads shall have a permanent vegetative cover established and other permanent erosion control measures installed in accordance with Division of Highways' specifications.
- (12) Prior to addition to the state system, subdivision roads shall be in an acceptable state of maintenance when petitioned for state maintenance.
- (13) All pipe culverts, storm sewers and appurtenances shall be free of all debris and silt build-up and shall be structurally and hydraulically sound, and functioning in a normal manner. All drainage ditches shall be of such a width and depth and with such a slope as to carry the anticipated discharges. Paved ditches or rip rap shall be required where necessary.

History Note: Authority G.S. 136-18(1); 136-44.1; 136-102.6;
Eff. April 3, 1981;
Amended Eff. December 29, 1993; July 1, 1984; October 1, 1982;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.