

What is a Subdivision?

While the term “subdivision” is often used to define an area of multiple residential lots abutting a new street, by definition, a subdivision means all divisions of land creating a new parcel or involves the dedication of a new street or a change in an existing street. However, the following situations are not considered subdivisions:

- (1) The combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of Rowan County as shown in the subdivision ordinance.
- (2) The division of land into parcels greater than ten (10) acres where no street or private or public 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 whose entire area is not greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the standards of Rowan County as shown in the subdivision ordinance.
- (5) The division of a tract into plots or lots used as a cemetery.
- (6) Land divided by a will or the courts for the purpose of dividing up a deceased person’s property.

What is a Subdivision Ordinance?

A subdivision ordinance provides minimum standards each new parcel must meet for the purpose of maintaining the public health, safety and general welfare of Rowan County. For some divisions, this may entail certain improvements to be made, such as streets and drainage features.

What Parts of the County does this Affect?

While the ordinance only affects areas of Rowan County outside municipal jurisdiction, each jurisdiction has their own separate but unique ordinance.

Do I have to Hire a Surveyor to see how I can Subdivide my Land?

No. Planning Department Staff is available for informal discussions and will review sketch plans containing information from Sec. 22-55. Often, these meetings provide landowners helpful information to make both short and long-term decisions with their property. Once a decision has been made to divide the property, a professional land surveyor must perform the survey and prepare a plat for recordation.

How is a Subdivision Plan Approved?

Final plats must be prepared by a professional land surveyor and reviewed by the Planning Department based on applicable ordinances and regulations. Applicants may elect to submit an optional sketch plan in accordance with section 22-55 of the Subdivision Ordinance prior to submission of a preliminary or final plat.

After obtaining approval for any subdivision, the plat must be recorded with the Register of Deeds after which zoning and building permits may be issued. The approval process varies based on the request:

1. **Minor** – Means a division of land establishing eight (8) lots or less with no new roads proposed for dedication. Minor subdivision request submittals include the following:
 - a. One (1) copy of the final plat containing information from Sec. 57(a) & 61(b);
 - b. Review application and fee; and
 - c. Approved driveway permit (if necessary).

These requests are typically approved within ten (10) business days.

2. **Minor, Special Exception** – Means a division of land that complies with the following:

The Subject parcel to be divided:

- a. In single ownership;
- b. Not exempted under section 22-6 (b);
- c. Has not been divided under this section in the past ten (10) years; and
- d. Greater than five (5) acres.

After the division, no more than three (3) lots are established meeting the following:

- a. Dimensional requirements from section 21-84 of the Zoning Ordinance;
- b. Use of the lots conform to section 21-113 of the Zoning Ordinance; and
- c. A permanent means of ingress / egress is recorded for each lot.

Parcels created under this provision may not be further divided as a family subdivision.

Minor subdivision, special exception request submittals include the following:

- a. One (1) copy of the final plat containing information from Sec. 57(a) & 61(b);
- b. Review application and fee;
- c. Approved driveway permit (if necessary); and
- d. Notarized Minor, Special Exception document.

These requests are typically approved within ten (10) business days.

3. **Family** – Means a division of land establishing up to three (3) lots plus the residual tract created for conveyance to members of the property owner’s immediate family, which is defined as an individual’s grandparents, parents, sibling, children, and grandchildren. A family member may only receive one (1) lot under this provision.

Requests for family divisions are necessary when the existing and / or proposed lots do not have adequate frontage on a state maintained road. By establishing a twenty (20) foot easement for road access, these requests may be approved for conveyance to immediate family members.

Family subdivision request submittals include the following:

- a. One (1) copy of the final plat containing information from Sec. 57(a) & 61(b);
- b. Review application and fee; and
- c. Notarized Family Subdivision document.

Requests are typically approved within ten (10) business days.

4. **Major** – Means a division of land establishing more than eight (8) lots or propose the dedication of new streets or a change in an existing street. Major subdivision requests involve the following:

- a. Preliminary Plat Review:

This approval phase involves submission of detailed information to ensure the proposed project may be approved prior to construction. In general, the following information is necessary for review:

- i. Eight (8) copies of the Preliminary Plat containing information from Sec. 61(a);
- ii. Two (2) copies of the Erosion Control Plan, fee and financial responsibility form (or waiver if project is less than one acre) submitted to the Planning Department;
- iii. Road Plans and Profiles and driveway permit application submitted to the Division 9 District 1 office of The North Carolina Department of Transportation (NCDOT). Plans must meet NCDOT and applicable Subdivision Ordinance design standards;
- iv. Two (2) copies of Proposed Restrictive Covenants containing information in Sec. 58(f);
- v. Certification from Fire Marshal and Chief of the Fire Department with responding jurisdiction regarding proximity to

a water point source. Projects required to construct a water point source must provide documentation to comply with section 22-58(f), 80(g), and 111 along with two (2) copies of the water usage agreement; and

- vi. Application with fee.

Requests are typically forwarded to the Subdivision Review Committee (SRC) within fourteen (14) calendar days for review. Within thirty (30) days, the committee will render one of the following decisions:

- i. Approve as submitted; or
- ii. Approve with conditions; or
- iii. Disapprove with reasons for disapproval given.

Once approved, ground disturbing activities along with the installation of necessary improvements may commence subject to the conditions of approval. Applicants shall submit a final plat within twenty-four (24) months of preliminary plat approval.

b. Final Plat Review:

This approval phase involves a final review of the completed development to ensure all components were installed as per the approved plans. In general, the following information is necessary for review:

- iv. One (1) copy of the Final Plat containing information from Sec. 61(b);
- v. Certification from Division 9 District 1 office of NCDOT (public roads) or a verification from a North Carolina registered professional engineer (private roads) that the roads have been constructed to NCDOT and Subdivision Ordinance standards;
- vi. Approved driveway permit;
- vii. Any documentation required by the Committee as a condition of preliminary plat approval;
- viii. Two (2) copies of the finalized restrictive covenants;
- ix. Final approval from Fire Marshal and Chief of the Fire Department with responding jurisdiction regarding the water point source requirement and necessary documentation;
- x. Site inspection by Planning and Erosion Control staff; and
- xi. Application with fee.

Requests are typically forwarded to the SRC within fourteen (14) calendar days for review. Within thirty (30) days, the committee will render one of the following decisions:

- i. Approve as submitted; or

- ii. Approve with conditions; or
- iii. Disapprove with reasons for disapproval given.

In lieu of completing the required improvements prior to final approval, the Board of Commissioners may accept a financial guarantee subject to Sec. 57(c) to insure the required improvements will be installed.

What are the Costs Involved?

The surveyor will charge landowners to survey the property and prepare a map. The Register of Deeds charge \$21 per sheet to record. The Planning Department charges the following to review subdivisions:

Minor & Minor, Special Exception - \$50 plus \$10 per new lot created.

Family - \$50

Major Subdivision Preliminary Plat - \$200 plus \$10 per new lot created.

Major Subdivision Final Plat without new roads - \$100 plus \$10 per new lot created.

Major Subdivision Final Plat with new roads - \$200 plus \$10 per new lot created.

Road sign - \$150 for intersections with two (2) road names.

Erosion Control Plans - \$200 per plan plus \$125 per acre of proposed disturbance (rounded up).