

PART II - CODE OF ORDINANCES

CHAPTER 30 – UNIFIED DEVELOPMENT ORDINANCE

Article 30-5: Development Standards

30-5.F. Community Form Standards

30-5.F.1. Purpose and Intent

The purpose for this section is to establish the community form standards for development in the City. More specifically, this section is intended to:

- a. Support street development as an integral component of community design;
- b. Provide safe, efficient, and convenient vehicular, bicycle, and pedestrian access and circulation patterns within and between developments;
- c. Incorporate design features to enhance the visual quality of the streetscape;
- d. Foster a pedestrian-friendly distribution of land uses and street network;
- e. Assure safe access to and from streets by emergency vehicles; and
- f. Reduce interference with through traffic by other vehicles, bicycles, or pedestrians entering, leaving, and crossing streets.

(Ord. No. S2012-016, § 7.1, 9-10-2012)

Effective on: 11/18/2013

30-5.F.2. Applicability

- a. Unless exempted in accordance with Section [30-5.F.3](#), Exemptions, or except where otherwise expressly stated, the standards in this section apply to all development on lots in the City, as well as to all street right-of-way.
- b. Compliance with these standards, to the maximum extent practicable, shall also apply to redevelopment of an existing structure, building, or use when it is expanded, enlarged, or otherwise increased in intensity in an amount equivalent to or beyond 50 percent.
- c. In the event of conflict or overlap with the standards in this section and the standards in [Article 30-6: Subdivisions](#), the standards in [Article 30-6](#) shall control.

Effective on: 11/18/2013

30-5.F.3. Exemptions

- a. Development limited to a single lot shall be exempted from the following standards in this section except as may be required based on a traffic impact analysis or related analysis consistent with Section [30-5.M](#):

1. Section [30-5.F.4](#), Streets;
 2. Section [30-5.F.5](#), Block Design; and
 3. Section [30-5.F.6](#), Development Entry Points;
- b. Lots within the Conservation (CD) district are exempted from the requirements in this section.

(Ord. No. S2013-014, § 6a, 7-22-2013)

Effective on: 11/18/2013

30-5.F.4. Streets

Streets in the City shall comply with the standards for public infrastructure in [Article 30-6: Subdivisions](#), and the following:

a. **Street Design**

1. *Conformity to Existing Maps or Plans*

The street layout shall conform to the arrangement, width, and location of proposed streets on any adopted City transportation plan or map. In areas where such plans are not completed, the streets shall be designed and located in accordance with:

- a. Existing and proposed streets;
- b. Existing topography;
- c. Natural features such as streams and stands of mature hardwood trees;
- d. Public convenience and safety; and
- e. The proposed use of land to be served by streets.

2. *Tracts or Sites Over Five Acres in Size*

Development, to the maximum extent practicable, shall be arranged so as to allow for the opening of future streets and, where relevant, logical resubdivision.

3. *New Street Grades*

Street grades for new streets, to the maximum extent practicable, shall be established to avoid excessive removal of vegetation or mass grading.

4. *Continuation of Adjacent Streets*

Proposed street layouts shall be coordinated with the existing street system in surrounding areas. Existing streets shall, to the maximum extent practicable, be extended to provide access to adjacent subdivisions and to provide for additional points of ingress and egress.

5. *Connection with State Streets*

Permits authorizing connection to any existing street or roadway shall be submitted to the City prior to any construction on the street or roadway.

6. *Design Speed*

Streets located within the DT district and local streets within residential neighborhoods shall be designed with a maximum design speed of 25 miles per hour.

7. *Private Streets*

Except for the ability to locate vehicular gates in accordance with Section 30-5.F.4.a.10, Vehicular Gates, private streets shall be built to the same standard as public streets, in accordance with the following:

a. *In General*

1. Private streets will be permitted to serve as access within developments with individual dwelling unit ownership; however, reservation of corridors for thoroughfares and utilities may be required if such are indicated on official plans as adopted by the City Council. Private streets may be used in residential development to provide for security and privacy.

2. The common area that comprises private streets shall be sized with a width consistent with City's right-of-way standards for the traffic service classification the street is designed for. Private street areas shall be a part of the common area and shall be owned and maintained by the homeowners' association. Setbacks required for the zoning district in which the development is located shall be measured from the margin of the common area that is the proxy for a private street right-of-way or street easement.
3. Private streets shall be shown on a Final Plat as private right-of-way.
4. In residential development, a right-of-way shall be designated and shown as a private street on the Final Plat.

b. *Maintenance*

All subdivisions and residential development with private streets in which land is intended to be sold shall establish a homeowners' association for maintenance of such streets. The homeowners' documents shall provide for adequate enforcement and funding to insure maintenance, and the documents shall be approved as to form by the City Attorney as part of the development permit approval procedure. In development retained under single ownership where units or lots will be for rental purposes only, maintenance of private streets shall be provided by the owner (along with open space or other facilities for the purpose of common use).

c. *Access to Government Agency*

In any development where private streets are provided, a Final Plat shall be prepared for City approval and recorded with the Cumberland County Register of Deeds, which identifies all private streets. The Final Plat shall include a note indicating that any governmental agency, personnel, or equipment shall be granted perpetual access over any private streets, to accomplish or fulfill any service or function for which the agency is responsible. In addition, any agency or organization designated by a governmental agency to perform a designated function shall also retain the same access granted to any governmental agency. It shall be indicated on the Final Plat that any agency exercising its access rights shall have the same rights and only such liabilities as it would have on any public lands, right-of-way, or easements.

d. *Certification of Construction*

Upon completion of construction of private streets and related facilities, including drainage systems, the developer shall provide for an inspection of all such facilities by a registered professional designated for such approvals, who shall provide in writing a statement that all private streets and related facilities are constructed in accordance with the requirement of this section and the approved plans. Such statement shall be affixed with the seal of the registered professional and be submitted to the City Manager and approved prior to the recording of a Final Plat. Certification of water and sewer systems shall also be sealed by a registered engineer.

e. *Signage*

Any traffic control devices may differ in material, but not in size, shape, color, or any other way from the requirements of uniform devices in the Manual of Uniform Traffic Control Devices as defined in [North Carolina General Statutes Section 136-30\(d\)](#).

f. *Disclosures*

1. Every Subdivision Plan approved as provided for in this subsection for residential development containing private streets shall contain the following statement:
"Street right-of-way shown on this plat are for private use, have not been accepted for maintenance by the Fayetteville City Council, and are to be maintained by _____(in the case where a homeowners' association owns the streets, homeowners' association shall be typed in the blank; in the case where lots are deeded to the center of the private street, the term "lot owner" shall be typed in the blank)."
2. Every Final Plat including private streets shall contain the following statement:

"Every deed conveying a lot shown on the plat approved under the provisions of this chapter shall contain the following statement: "The street upon which the property described herein abuts is a private street, the cost of maintenance which shall be borne by either the grantee herein or a homeowners' association as set forth in any restrictive covenants applicable to this conveyance and recorded in Book _____, Page _____, of the Cumberland County Registry, which shall be a covenant to run with the land."

3. Any declaration of conditions and/or restrictive covenants required to be recorded by this section shall contain provisions setting forth the ownership, and responsibility for maintenance of any private streets within the property subject to such declaration of conditions and restrictive covenants.

8. *On-Street Parking*

- a. Streets within the DT district shall, to the maximum extent practicable, incorporate on-street parking,
- b. Except for alleys, arterials, and collectors, all streets in other districts served by curb and gutter in the City are encouraged to provide on-street parking on at least one side.
- c. Except where approved by the City in advance, all on-street parking shall be parallel to the curb.

9. *Underground Utilities*

- a. All utility providers (e.g., cable, telephone, gas, electric, water and sewer, etc.) installing service lines for their respective utilities in the public right-of-way are required to adhere to the standards and procedures of the City Engineering and
- b. Infrastructure Department for design, coordination and communication. The intent is to maximize the potential for co-location in trenches and to standardize the design of utilities.

10. *Vehicular Gates*

- a. For the purposes of preserving access to public and private lands by citizens, utility companies, and emergency service providers, vehicular gates, barriers, or other devices intended to obstruct vehicular traffic along a public street right-of-way shall be prohibited.
- b. Vehicular gates are allowed on private streets provided the gate is equipped with City-approved devices that allow emergency services to gain access to the street and meets all requirements set forth in the current adopted version of the North Carolina Fire Code.

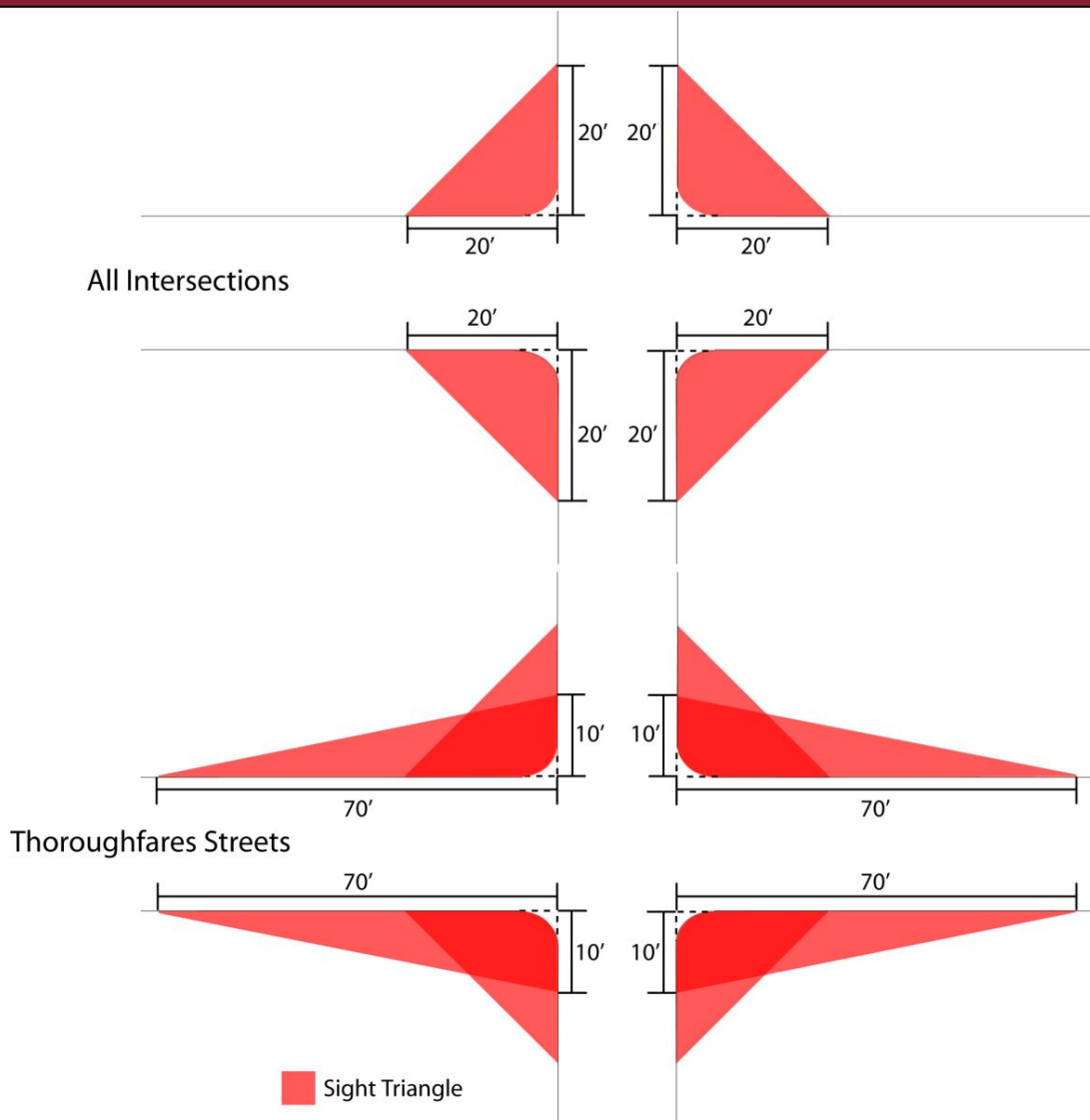
b. **Minimum Street Width**

Street widths shall be minimized to the maximum extent practicable, but in all instances shall comply with applicable City standards in Table 30-6.A.4.a, Street Right-of-Way Widths.

c. **Sight Distance Triangles**

1. No object (including signs) shall interfere with visibility within the sight distance triangle of an intersection of streets (assuming eye level of 40 inches or less from a distance of 20 feet from the edge of the pavement).
2. Sight triangles of 20 feet by 20 feet as measured from the intersection of right-of-way lines shall be preserved at all intersections (see Figure 30-5.F.4.i, Sight Distance Triangles).
3. Additional sight triangles of ten feet by 70 feet shall be provided for access onto thoroughfare streets.
4. Sight distance triangles shall be noted on the Subdivision Plan and Final Plats, as appropriate.

Figure 30-5.F.4.c: Sight Distance Triangles



Buildings, fences, walls, vegetation, and other elements may not obstruct sight distances at street intersections.

d. Cul-de-Sac and Street Stubs

1. Street Stubs shall be allowed only on a temporary basis to serve a phase or portion of a subdivision. Street stubs longer than 150 linear feet shall include a paved hammerhead turnaround or cul-de-sac that meets the city's minimum standards and shall be located within the dedicated right-of-way or easement. In the event that a final plat (See Section 30-2.C.6.e Final Plat) for the phase or portion of a subdivision served by a temporary street stub is submitted for approval or recording, the Final Plan shall include a notation that the street is temporary, and that additional modifications to the street will occur when the adjacent area is developed.
2. Except where allowed as part of a Special Use Permit (see Section 30-2.C.7, Special Use Permit), cul-de-sac streets shall not extend for more than 800 feet as measured from the center of the cul-de-sac turn around to the nearest right-of way boundary of the adjoining street right-of-way intersection.
3. Cul-de-sac in single-family residential areas shall include a paved turn-around having a minimum radius of 37 feet from the center to the back of curb. Within multi-family residential areas or commercial areas a minimum radius of 45 feet shall be provided.
4. In no case shall a cul-de-sac serve more than 25 lots in a development.

e. Alleys

1. Alleys meeting the City's minimum standards shall be provided along the rear property lines of lots intended for new detached residential, attached residential, and condominium dwellings when such lots:

- a. Are part of a block face with an average lot width of 50 feet or less; or
- b. Front a collector or arterial street (regardless of the average lot width).

Zero lot line development of five or fewer dwellings in neighborhoods where alleys do not exist are exempted from the requirements of this subsection.

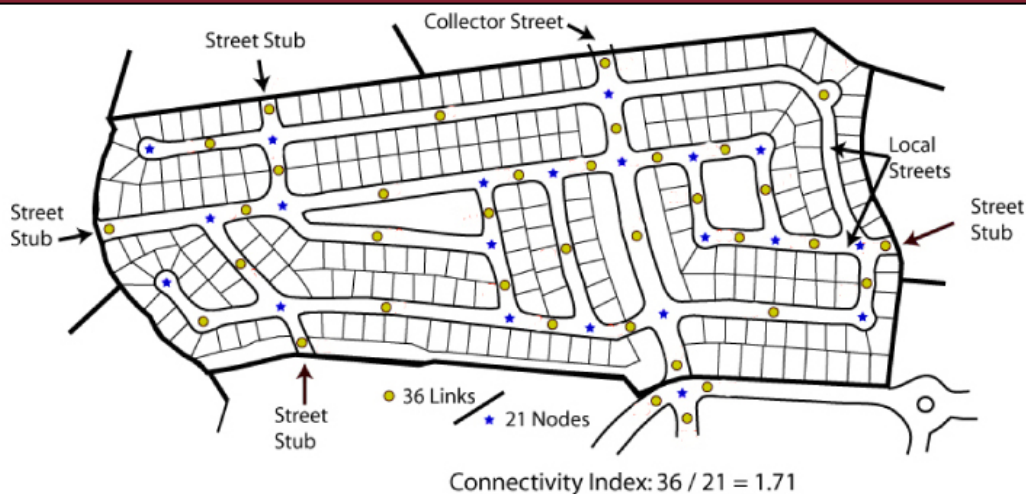
2. Lots served by alleys in accordance with this subsection shall access garages or off-street parking areas from the alley, as opposed to a street.
3. Lots served by alleys in accordance with this subsection shall not have driveways in front or corner side yard areas.
4. Alleys shall not be dead-end streets, and shall only intersect with streets.
5. Alleys shall not include pavement widths of less than 14 feet or more than 16 feet.
6. Alleys with a pavement width exceeding 14 feet shall:
 - a. Include a curb cut, driveway apron, and sidewalk crossing at the intersection with a street configured to appear as a driveway; or
 - b. Be screened by primary or accessory structures or trees located to minimize views down the alley corridor from adjacent streets.

f. Internal Street Connectivity

1. *Minimum Connectivity Index Score Required*

Except in the AR and DT districts, all development shall achieve an internal street connectivity score in accordance with Table 30-5.F.4.I, Minimum Street Connectivity Index:

Figure 30-5.F.4.f.2: Street Connectivity Index



New internal streets should connect with each other and external streets as necessary to meet the minimum index score.

Table 30-5.F.4.F: Minimum Street Connectivity Index

DISTRICT WHERE DEVELOPMENT IS PROPOSED	MINIMUM CONNECTIVITY INDEX SCORE
SF-15, SF-10, BP, LI, HI	1.40
SF-6, MH, PD-EC	1.50
MR-5, OI, NC, LC, MU, CC, PD-R, PD-TN	1.60

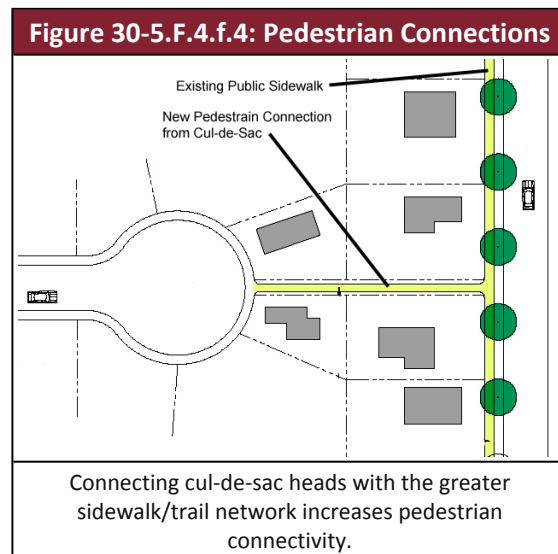
2. Connectivity Index Score Calculation

- a. The connectivity index for a development is calculated by dividing its links by its nodes. Figure 30-5.F.4.i, Street Connectivity Index, below provides an example of how to calculate the connectivity index. Nodes (stars) exist at street intersections and cul-de-sac heads within the development. Links (circles) are stretches of road that connect nodes. Street stub-outs are considered as links, but temporary dead-end streets internal to a development or alleys are not counted as links. One link beyond every node that exists in the development and provides access to the street system outside the development shall be included in the index calculation. In the diagram, there are 36 links (circles) and 21 nodes (stars); therefore the connectivity index is 1.71 ($36/21 = 1.71$).
- b. Mid-block pedestrian access, required in accordance with Section 30-5.F.5.c, Mid-Block Access, will also be considered as a connection for the purposes of calculating the connectivity index.

3. Reduction in Minimum Index Score

The minimum connectivity index score may be reduced if the owner/developer demonstrates it is impossible to achieve due to topographic conditions, natural features, existing road configurations, or adjacent existing development patterns.

4. Pedestrian Connections Required



- a. A right-of-way 20 feet wide for pedestrian/ bicycle access between a cul-de-sac head or street turnaround and the sidewalk system of the closest adjacent street or pedestrian pathway (as shown in figure 30-5.F.4.f.4, Pedestrian connections) shall be required whenever the City Manager determines a proposed cul-de-sac or street turnaround:
 1. Is in close proximity with significant pedestrian generators or destinations such as schools, parks, trails, employment centers, or similar features; or
 2. Creates an unreasonable impediment to pedestrian circulation.
- b. This pedestrian connection shall count as a connection for the purpose of calculating the connectivity index.
- c. A pedestrian/bicycle access shall not be required between a new subdivision and a street within an adjacent residential subdivision platted more than 12 months prior thereto.

g. External Street Connectivity

1. Purpose

These external street connectivity standards are proposed to ensure the establishment and continuation of a logical, interconnected street network in the City.

2. *General Requirements*

- a. The arrangement of streets in a development shall provide for the alignment and continuation of existing or proposed streets into adjoining lands.
- b. When required by the Technical Review Committee, street rights-of-way shall be extended to or along adjoining property boundaries such that a roadway connection or street stub shall be provided for development where practicable and feasible in each direction (north, south, east, and west) for development which abuts vacant lands.

3. *Review Criteria*

The Technical Review Committee shall base its decision regarding the type, location, and configuration of required new street connections on the following criteria:

- a. The Site Plan or Subdivision Plan's consistency with subdivision access standards in Table 30-5.F.6;
- b. The impact on travel distance and response time for emergency service providers resulting from new street connections;
- c. The need for and potential to disperse traffic and reduce congestion at intersections from new street connections;
- d. The ability to reduce travel time for residents from the inclusion of new street connections;
- e. The potential of a new street connection to reduce negative impacts on air quality (by reducing vehicles miles travelled or driving time);
- f. The potential impact on existing development patterns, compatibility, or safety from new street connections; and
- g. The potential impact on natural areas or natural features from new street connections.

In no instance shall a new street connection result in a reclassification of an existing street to a new street classification higher than a collector street, nor shall a new street connection be approved if it results in a reduction in existing level of service by two categories or more for any existing street or intersection serving the new development.

4. *Notification of Connected Streets*

- a. At all locations where streets terminate with no street connection, but a future connection is planned or accommodated, a sign shall be installed at the location with the words "FUTURE ROAD CONNECTION" to inform property owners.
- b. The Final Plat (see Section 30-2.C.6.e, Final Plat) shall identify all stub streets and include a notation that all street stubs are intended for connection with future streets on adjoining undeveloped property. (Also see Section 30-6.A.4.a Public Streets and Alleys.)

h. **Traffic Calming Measures**

Figure 30-5.F.4.h: Traffic Calming Measures



Traffic calming devices are features that can be included within the right-of-way to slow traffic, and provide safer crossing for pedestrians. From top: bike entry path, elevated crosswalk, chicane, roundabout.

1. Minimal street widths, short block lengths, on-street parking, controlled intersections, roundabouts, and other traffic calming measures are encouraged on all local, and sub-collector streets, provided they do not interfere with emergency vehicle access.
2. In cases where residential development is organized around a grid street network, measures to interrupt or terminate long, linear street segments of over 800 linear feet shall be employed, to the maximum extent practicable. Such measures shall include, but shall not be limited to:
 - a. Stop signs at street intersections;
 - b. Roundabouts, or traffic circles;

- c. Curvilinear street segments to slow traffic and interrupt monotonous streetscapes;
- d. Roadway striping to limit vehicular cartway widths or accommodate bike lanes; and
- e. Speed tables or elevated pedestrian street crossings.

- 3. Sidewalk bulb-outs are discouraged on streets less than 28 feet wide, but are encouraged on wider streets as a traffic calming device and to reduce crossing distance for pedestrians, where practicable.

(Ord. No. S2011-008, §§ 2.1, 2.2, 7-25-2011; Ord. No. S2011-013, §§ 1.8, 12.2, 11-28-2011; Ord. No. S2012-001, § 7, 1-23-2012; Ord. No. S2012-024, § 16, 11-13-2012; Ord. No. S2012-025, § 16, 11-13-2012)

Effective on: 11/18/2013

30-5.F.5. Block Design

a. Block Length

- 1. Block lengths shall be longer than 200 feet.
- 2. Average block length shall be 800 feet or less and no individual block length shall exceed 1,200 linear feet. However, the TRC may allow deviations from these block length standards in cases where:
 - a. Environmental or topographic constraints exist;
 - b. If a site has an irregular shape;
 - c. If a longer block will reduce the number of railroad grade or major stream crossings; or
 - d. Where longer blocks will result in less traffic through residential subdivisions from adjoining businesses or areas.

b. Block Width

To the maximum extent practicable, the width of any block shall be sufficient to permit at least two tiers of lots of appropriate depth for the zoning district exclusive of any public alleys, watercourses, or other right-of-way located outside platted lots.

c. Mid-Block Access

In cases where a block length exceeds 800 feet, sidewalks or multi-use paths shall be provided mid-block to connect parallel sidewalks on the long side of the block. A mid-block connector is not required when usable open space is within 1,500 feet of all lots in the development (See [30-5.C.3\(b\)\(2\)](#)).

(Ord. S2013-022, 10/28/2013)

Effective on: 11/18/2013

30-5.F.6. Development Entry Points

- a. Unless exempted in accordance with subsection (c) below, all developments shall provide access from the development to the street system outside the development in accordance with Table 30-5.F.6, Required Access:

Table 30-5.F.6: Required Access	
DEVELOPMENT TYPE	MINIMUM NUMBER OF ACCESS POINTS
RESIDENTIAL USE TYPES (# OF UNITS)	
80 or fewer	1
81—160	2
161 +	3
ALL OTHER USE TYPES (TOTAL ACRES)	

Less than 5 acres	1
5—20 acres	2
more than 20 acres	2 + 1 per every additional 20 acres

- b. Nothing in this section shall limit the total number of streets providing access to the street system outside a development, or exempt a development from meeting all applicable external street connectivity standards.
- c. Development shall be exempted from these standards if it is demonstrated the following conditions apply:
 - 1. No other street access points can be located 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.

(Ord. No. S2012-001, § 8, 1-23-2012; Ord. No. S2012-008, § 5, 4-23-2012; Ord. No. S2013-014, § 6b, 7-22-2013)

Effective on: 11/18/2013

30-5.F.7. Access to Lots

a. No Direct Access to Arterial Streets

Driveways serving individual lots shall not have direct access onto arterial streets, unless no alternative means of access (such as alleys or parallel access streets) exists, and it is unreasonable or impractical to require an alternative means of access.

b. Limited Access to Collector Streets

Unless no alternative means of access exists, such as alleys or parallel access streets, and it is unreasonable or impractical to require an alternative means of access, direct driveway access to collector streets shall be limited to lots containing multi-family dwellings, commercial, institutional, and industrial uses (see Table 30-4.A, Use Table). When direct driveway access to a collector street is allowed, driveway separation of 150 linear feet or more per street side shall be maintained.

c. Review of Curb Cuts Required

New curb cuts or access to individual lots shall be reviewed and approved by the City Manager prior to issuance of a Building Permit in accordance with Section 30-2.C.12, Building Permit.

d. Parking Lot Cross-Access

New development shall comply with the parking lot cross-access standards in Section 30-5.A.3.f, Parking Lot Cross-Access.

Effective on: 11/18/2013

30-5.F.8. Maximum Driveway Width

- a. Maximum driveway width for the first 18 feet of driveway, as measured from the street pavement edge, shall be limited in accordance with the following maximum driveway width standards, unless the City Manager determines a greater width is required because of projected traffic volumes:
 - 1. Single-family attached, detached, and two- to four-family residential: 16 feet for a single car garage, and 20 feet for a two car garage;
 - 2. Multi-family residential: 24 feet;

3. Mixed-use development: 28 feet; and
 4. All other nonresidential uses: 36 feet.
- b. Driveways serving multi-family and nonresidential uses shall maintain a 20-foot-wide corridor that is free from signage, tree branches, or other "non-breakaway" structures greater than 36 inches in height for the purpose of maintaining clear emergency vehicle access. In all cases, driveways shall be designed and constructed in conformance with the current adopted version of the North Carolina Fire Code.

Effective on: 8/11/2014

30-5.F.9. Sidewalks

a. Location

Sidewalks shall be required on both sides of all streets, except:

1. On lots or sites engaged in active agricultural uses in the AR district (in these instances, no sidewalks are required);
2. In residential subdivisions where the average lot size is greater than 35,000 square feet in area (in these instances, sidewalks are required on one side of the street);
3. Along alleys;
4. On cul-de-sacs less than 500 feet in length (in these instances, sidewalks are required only on one side of the street);
5. On frontages adjacent to NCDOT full control access roadways; and
6. When an in-lieu fee consistent with the City's fee schedule is determined to be appropriate by the City.

b. Configuration

1. Except within the DT district, sidewalks shall be at least five feet wide, and may be required to match the width of a connecting sidewalk that exceeds five feet in width;
2. Sidewalks in the DT district shall be at least eight feet wide, or wider depending upon sidewalk widths on adjacent properties or as established in an adopted plan or streetscape design for that area;
3. Sidewalks shall be constructed of concrete, brick, textured pavers or a combination of these materials, consistent with an approved Site Plan, or with the established sidewalk patterns in the general area of the development;
4. Except where brick or pavers are used, all public sidewalks shall maintain a brushed concrete finish for safety;
5. Sidewalks shall be raised above the adjacent street level;
6. Pedestrian street crossings at all intersections may be raised above the adjacent street level as a traffic-calming measure. Mid-block pedestrian crossings shall be raised above the pavement, and shall be a different material, or be striped for safety;
7. Sidewalks shall connect with existing or planned sidewalks at property boundaries;
8. New nonresidential, mixed-use, and multi-family development shall provide at least one on-site improved connection between the development and the adjacent public sidewalk system (planned or existing); and
9. Multi-family development shall provide sidewalks as required by applicable State and Federal law.

c. Payment-In-Lieu

In accordance with procedures and appeals specified in Article 30-6.A.3(e) *Payment In Lieu of Sidewalks*, an applicant or developer may request the ability to provide payment-in-lieu for all or a portion of the required sidewalks when the following situations exist. The City Manager may approve or disapprove the request and may require a comparable amount of on-site pedestrian or multi-purpose facilities elsewhere on site instead of approving an in-lieu payment. Fees received in accordance with this subsection shall be used only for the development of new sidewalks and multi-use paths.

1. The [street](#) is designated as a state highway or route subject to widening or improvement in the foreseeable future;
2. The [street](#) is planned for improvement in accordance with the [City's](#) transportation plan(s);
3. Alternative on-site [pedestrian](#) facilities, such as trails, [greenway](#), or multiuse paths, are adequate; or
4. The right-of-way, developing [lot](#), or [lot](#) abutting a proposed sidewalk is not suitable for sidewalks due to [floodplains](#), wetlands, riparian buffers, required tree [canopy](#) retention areas, slopes exceeding 25 percent, or other unique site conditions.

(Ord. No. S2012-007, § 5, 4-23-2012; Ord. No. S2014-007 § 1 & 2, 2-10-2014)

Effective on: 2/10/2014

30-5.F.10. Reserved*

***Editor's note**—Ord. No. S2012-016, § 7.2, adopted September 10, 2012, repealed Section 10, in its entirety, which pertained to street trees. See also the Code Comparative Table.

Effective on: 11/18/2013