

30-6.A.3. Required Public Improvements

Except as provided for through a performance guarantee (see Section [30-6.C](#), Performance and Maintenance Guarantees), the following requirements for improvements shall be fulfilled before a Final Plat shall be reviewed or approved in accordance with Section [30-2.C.6.e](#) Final Plat.

a. Monuments

Permanent monuments shall be installed at all points of intersection, points of curvature, and points of tangency of all outside boundary lines of the plat and along all street lines, including the intersection of boundary lines with street lines and at such other points and to such specifications as may be required by North Carolina General Statutes Section [47-30](#), as amended, in accordance with good engineering practice.

b. Streets and Alleys

All streets and alleys in the subdivision shall be graded by the subdivider to the full width, cross section, and profile indicated in the City's specification manual and this Ordinance, in accordance with good engineering practice

c. Storm Sewers and Stormwater Management Features

Storm sewers, drains, and structures shall be installed by the subdivider, and shall be of a size, type, and location to provide for the discharge of surface water into a natural watercourse, in accordance with the City's specification manual, this Ordinance, and good engineering practice.

d. Public Water and Sewer Facilities

In any subdivision located within the City limits in which public water, sewer, or both are available or can be made available through an extension of 200 feet or less of the subdivision boundary, water mains and sanitary sewers shall be extended by the subdivider to provide service to each lot in the subdivision. Public water and sewer lines shall be of a material, location, and installation technique specified in the City's specification manual, this Ordinance, and in accordance with good engineering practice, before the Final Plat shall be eligible for approval.

e. Sidewalks

1. General Standards

- a. Sidewalks shall be installed within in any subdivision located in the City's planning jurisdiction, and shall be constructed of concrete or other approved surface in accordance with the standards for sidewalks in Section [30-5.F.9](#), Sidewalks. All sidewalks shall be installed in accordance with the City's specification manual, this Ordinance, and good engineering practice.
- b. When paved sidewalks are installed adjacent to parking areas, the sidewalks shall accommodate a vehicular bumper overhang and continue to be functional. All sidewalk construction shall conform with standards specified by the City in order to meet the American Disabilities Act (ADA) standards.
- c. Sidewalks outside the Downtown 1 (DT-1) district shall be at least five feet in width. Sidewalks within the DT district shall be at least eight feet in width, or wider depending upon sidewalk widths on adjacent lands.
- d. The developer shall be responsible for the entire cost of sidewalks within the development. Payment in-lieu of sidewalk construction may be considered by the City Manager in accordance with Section [30-6.A.3](#), Payment in-lieu of Sidewalks.

2. Payment In-Lieu of Sidewalks

a. General

The payment of fees, in-lieu of installing a required public sidewalk, may occur at the request of the developer with approval of the City Manager, upon finding that one or more of the conditions listed in [30-5.F.9\(c\)](#) exist and agreement that there are no on-site alternatives.

b. Procedure for Approval

1. The payment of such fees in-lieu shall be reviewed and approved as part of the Site Plan (Section [30-2.C.5](#)) or Final Plat (Section [30-2.C.6.e](#)), as appropriate. Any applicant proposing to make such payment shall attach a letter to the City Manager requesting the payment of fees in-lieu of installing the sidewalk. Upon receipt of the application, the City Manager shall review the request.
2. Appeals of the decision of the City Manager or the Technical Review Committee on the provision of sidewalks shall be decided by the City Council in accordance with Section [30-2.C.18](#), Appeal.

c. Time of Payment

The fees in-lieu of sidewalks shall be paid prior to recording the Final Plat, and if no Final Plat is required, prior to the issuance of a Building Permit (see Section [@@9372]).

d. Amount of Payment

Where the payment of fees to the City is to be made in-lieu of installing a sidewalk as permitted by this subsection, the City Manager shall verify the cost estimate for installing the sidewalk in accordance with the adopted fee schedule, as amended.

e. Disagreements as to Amount

In the case of disagreement between the City and the applicant regarding the cost for installing the sidewalk, the City Council shall make the final determination of the acceptable in-lieu fee.

f. Use of Funds

Fees received in accordance with this subsection shall be used only for the development of new sidewalks and multi-use paths.

f. Certificates Required

1. The following certificate shall appear on the Plat over a blank line provided for the signature of the City Manager: ☐

"All open space set-asides, planted islands within vehicular use areas, planted medians, or other required landscaping areas shall be maintained in perpetuity by the subdivider or other applicable owner's association."

2. In addition to the certificate in (1) above, one of the two following certificates shall also appear on the Plat over a blank line provided for the signature of the City Manager:

- a. If the required improvements are completed prior to the submission of the Final Plat, the following certificate shall appear on the Plat:☐

"To whom it may concern, I hereby certify that on this the day of _____, 20__, all streets and alleys shown on this plat, in accordance with the approved plans dated _____, have been constructed and storm water facilities have been installed by the subdivider in a manner approved by the City Manager."

- b. If the required improvements are not completed prior to the submission of the Final Plat, the following certificate shall appear on the Plat:☐

"To whom it may concern, I hereby certify that a performance guarantee of a satisfactory amount has been posted with the City of Fayetteville by the subdivider, guaranteeing that the streets in this subdivision will be constructed within _____ days from this date, the day of _____, 20__, by who is (are) the owner(s), to the full width and to the grade and cross section designated by the City Manager; and the subdivider will install the necessary storm water facilities in accordance with plans approved by the City Manager within _____ days from this same date."

g. Central Mailboxes (when required by USPS)

In April 2012 the USPS revised its regulations for home mail delivery to require central delivery mailboxes for new subdivisions. The local postal manager will review site and subdivision plans in relation to proposed locations for centralized mailboxes. When central mailboxes are required by the USPS, see Section [30-6.A.4](#) Subdivision Design Standards for the minimum standards in order to achieve the safe, logical placement and arrangement of central mail delivery.

(Ord. No. S2011-013, § 1.8, 11-28-2011; Ord. No. S2012-001, § 10, 1-23-2012; Ord. No. S2014-007 § 3, 2-10-2014;
Ord. No. S2014-020, § 5a, 11-24-2014; Ord. No. [S2022-010](#), § 1, 05/23/2022)