

Resolution #: 2018-021

**RESOLUTION
OF THE
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

Date: April 3, 2018

Name of Subdivision: Morgan Ridge

Owner/Applicant: Jones Ferry Properties, LLC
227 Opus Way
Chapel Hill, NC 27516

Agent(s): Warren Mitchell, PE
104 Amber Wood Run
Chapel Hill, NC 27516

The Board of County Commissioners hereby approves the Morgan Ridge Preliminary Subdivision Plat, dated December 15, 2017, containing the following:

- The extension of a planned public road, tentatively named "Morgan Ridge Way" that will be constructed to North Carolina Department of Transportation (NCDOT) public road standards, and intersect with Jones Ferry Rad (S.R.1942);
- The preservation of 0.37 acres Common Open Space as denoted on the Preliminary Plat; and
- A 30-foot wide "Type B" roadside buffer along Jones Ferry Road (S.R. 1942).

The approval of this resolution authorizes and directs the Orange County Manager to accept for Orange County and on behalf of the public generally, the offer of dedication of all publically offered areas/easements, including rights-of-way for the public portions of the road tentatively named "Morgan Ridge Way" without maintenance responsibility.

Per the Orange County Unified Development Ordinance (UDO) the applicant shall maintain all common areas and proposed roadways until such time as it is accepted for maintenance by a local homeowners association, the North Carolina Department of Transportation, or some other governmental or non-profit entity.

Before the Final Plat of Morgan Ridge can be approved by the Planning Department and recorded within the Orange County Registrar of Deeds office the following conditions shall be addressed:

A. Declaration of Restrictions

1. The Orange County Planning Department shall author a Declaration of Restrictions (hereafter 'the document') establishing and describing the various development restrictions, standards, conditions, and requirements associated with development of, and within, the project.

The document shall be recorded concurrently with the Final Plat and

approved, as to form and content, by the applicant and the County Attorney.

2. The document is not intended to serve, supplant, or take the place of any document recorded by the applicant establishing local homeowner covenants, or deed restrictions enforced by either the applicant or an established homeowners association.

B. Sewage Disposal and Wells

1. The developer shall provide copies well and septic information to the Orange County Environmental Health Department for any permits on lots adjacent to the Orange-Chatham County line.

C. Roads and Access

1. Morgan Ridge Way shall be constructed to the standards of the North Carolina Department of Transportation in accordance with the approved Preliminary Plat.

The public roadway, as well as the proposed stormwater management system, shall be located within a minimum 50-foot right-of-way, with 5-foot utility easements on each side. Construction shall be inspected and approved by NCDOT.

OR

A letter of credit or escrow agreement shall be submitted to secure construction of the aforementioned roadways to the standards of the North Carolina Department of Transportation in accordance with the provisions of the UDO.

An estimate of the construction cost must be prepared by a certified/licensed engineer or grading contractor and submitted to the Planning and Inspections Department. The financial guarantee must reflect 110% of that estimate and be issued by an accredited financial institution licensed to do business in North Carolina.

In this instance, the document shall state posted financial guarantee(s) will not be released until the road construction has been inspected and approved by NCDOT.

3. All lots shall receive access from the internal subdivision road as depicted on the approved Preliminary Plat. No driveway access for any of the lots shall be permitted off of Jones Ferry Road (S.R. 1942).
4. The existing gravel driveway onto Jones Ferry Road (S.R. 1942) that is depicted on the Preliminary Plat shall be removed (i.e. landscaped and/or made pervious) prior to acceptance of Morgan Ridge Way by NCDOT.
3. An erosion control and stormwater management plan for construction for the aforementioned roadways shall be submitted by the applicant to the Orange County Erosion Control Division for review and approval prior to any land disturbing activity on the site in accordance with the UDO.

4. Approved double-bladed street name signs shall be erected at the intersections of public streets prior to Planning Department signatures on the Final Plat or prior to issuance of any building permit if road construction is secured by letter of credit as described herein.
5. Prior to any construction or alteration of any existing access within the right-of-way of Jones Ferry Road (S.R. 1942), the owner/applicant shall secure a driveway permit from the NCDOT District Office.

The owner/applicant shall submit a copy of the NCDOT-approved permit and NCDOT approval letter to the Planning Department prior to, or at the same time as, the request for a grading permit is made, or before Planning Department signatures are affixed on the Final Plat, whichever is first.
6. Sight triangles (10' x 70') shall be shown on the Final Plat at the intersection with each of the Morgan Ridge Way and Jones Ferry Road (S.R. 1942).

D. Land Use Buffers and Landscaping

1. The 30-foot wide land use buffer along Jones Ferry Road (S.R. 1942), identified on the approved Preliminary Plat, shall be preserved in perpetuity in accordance with the provisions of the UDO. The document, as well as any local covenants, shall require the applicant or future homeowners association to preserve the required land use buffer.
2. Upon completion of roadway improvements Planning Department staff shall complete an inspection in the area to ascertain if additional roadway plantings are required in accordance with the provision(s) of the UDO.

In the event additional plantings are required, the applicant shall submit a formal landscape plan re-establishing required vegetation. The owner/applicant shall install landscaping as indicated on the approved Landscape Plan and the Planning Department shall inspect and approve such landscaping before signing the Final Plat. It should be noted no part of any additional landscaping shall encroach into the ten (10) foot by seventy (70) foot sight triangles at the public road intersection.

OR

The owner/applicant shall submit a letter of credit or cash bond to secure required landscape installation and preservation. The owner/applicant shall provide, as specified within the UDO, an estimate of the cost for required preservation, plantings and their installation. The financial guarantee shall reflect 110% percent of the estimate and be issued by an accredited financial institution licensed to do business in North Carolina.

3. Provision for protection of existing trees shall be included in the Final Plat, as well as the recorded Declaration of Restrictions as prepared by the Orange County Planning Department.

E. Drainage

1. The applicant shall submit a final stormwater management and erosion control plan for approval by Orange County Erosion Control prior to the commencement of land disturbing activities.
2. Drainage easements shall be located on the Final Plat as required following review and approval of the stormwater management plan by Erosion Control staff.
3. Drainage culverts shall be sized and located appropriately, as required by NCDOT and Erosion Control, by a licensed North Carolina Professional Engineer.

F. Miscellaneous

1. The Final Plat shall contain a title block and vicinity map in accordance with the UDO.
2. The Common Open Space shall be conveyed into the Homeowner's Association before Planning Department signatures are affixed to the final plat.
3. If street lighting is proposed, then a lighting plan shall be submitted to the Planning Department for review and approval prior to purchase of lighting fixtures from the utility provider.
4. Any Outdoor lighting (including for signage) shall meet the Outdoor Lighting Standards as set forth in the UDO.
5. A sign permit shall be obtained from Orange County for the subdivision sign located at or near the entrance of the subdivision prior to beginning construction.
6. Methods of disposal of trees, limbs, stumps and construction debris associated with construction activity shall be by some method other than open burning as required in the UDO.

G. Certifications

1. A Certificate of Survey and Accuracy signed by a Professional Land Surveyor shall be notarized on the face of the Final Plat.
2. A Certificate of Declaration and Maintenance in the form provided in the UDO signed by the landowner and developer shall be on the face of the plat and included in a document describing development restrictions to be recorded concurrently with the Final Plat.
3. The North Carolina Department of Transportation shall certify that the platted portion of Morgan Ridge Way has been entirely constructed to State standards or that construction plans have been approved prior to

Planning Department signatures on Final Plat.

1. A Certificate of Approval signed by the Orange County Planning and Inspections Department shall appear on the face of the Final Plat.
2. All other required certificates detailed within the UDO, applicable to the project, shall be placed on the Final Plat for signature.

NOW THEREFORE BE IT RESOLVED by the Board of Orange County Commissioners that the Preliminary Plat for the Morgan Ridge Subdivision is approved in accordance with the above mentioned conditions and attached Preliminary Plat dated December 15, 2017.

Upon motion of Commissioner McKee, seconded by Commissioner Price, the foregoing resolution was adopted this the 3 day of April, 2018.

I, Donna S. Baker, Clerk to the Board of Commissioners for the County of Orange, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on April 3, 2018 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in Minute Book No. _____ of the minutes of said Board.

WITNESS my hand and the seal of said County, this 3 day of April, 2018.

Clerk to the Board of Commissioners

