

**TOWN OF MAGGIE VALLEY
ORDINANCE 1122**

WHEREAS, The Town of Maggie Valley Board of Aldermen wish to provide the public with clear town street standards and;

WHEREAS, The Town of Maggie Valley Unified Development Ordinance Title XV Section 156.13 Street Standards, is in need of updates to better reflect current standards;

NOW THEREFORE, be it ordained by the Board of Aldermen of the Town of Maggie Valley, in the State of North Carolina, as follows:

SECTION 1: **AMENDMENT** “156.13 STREET STANDARDS” of the Town of Maggie Valley Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

156.13 STREET STANDARDS

A. General Provisions

1. If the tract to be subdivided is located on both sides of an existing, recorded private right-of way that contains an existing private road, the applicant shall be required to upgrade the portions of the existing private road which are contained on the tract that is being subdivided to meet the road standards found in this Section.
2. It should be understood that all roads proposed to be public must originate as private roads until there is formal dedication and acceptance by the town.
3. Private roads are allowed, only if approved as part of a Conditional Zoning District by the Board of Aldermen or by the Zoning Board of Adjustment on an individual basis. If private roads are approved, then a road maintenance agreement signed by the parties utilizing such private road for access to their property or POA provisions outlining road maintenance responsibilities must be in place and recorded before recordation of a final plat.
4. The applicant shall determine at the time of application if the subdivision roads are to be public, private or a combination of both types.

B. Right-of-Way Access

1. All subdivisions greater than two (2) lots must abut on a private or public street right-of-way. The right-of-way shall, for public roads, meet or exceed the minimum width specified in the Road Classification Table (7-1), for private roads, the minimum width approved as part of a Conditional Zoning District by the Board of Aldermen or by the Zoning Board of Adjustment on an individual basis. The right-of-way standards apply within the boundaries of the property being developed.
2. Proposed subdivisions which abut an existing or recorded public or private right-of-way which do not meet the minimum width requirements of this

Chapter shall be required to provide additional rights-of-way to conform to the appropriate standards, as provided below. The applicant shall provide up to one-half (1/2) of the required right-of-way measured from the centerline of the existing right-of-way. If the subdivision is located on both sides of the existing road right-of-way, the full right-of way requirement shall be required.

C. *Town Street System Requirements*

1. All roads considered for addition to the Town Street System must be located within the Town Limits.
2. Streets must meet all minimum construction and design standards unless approved as part of a Conditional Zoning District by the Board of Aldermen or by the Zoning Board of Adjustment on an individual basis. Streets that have received deviations from the street construction and design standards may not be eligible for admission into the Town Street System.
3. Development within a masterplan (phased development) subdivision must be 75% complete.
4. A petition for street dedication from all property owners or developer.
5. Developer or property owners must dedicate a free and clear right-of-way.

D. *Application Requirements.* Any developer desiring to construct a new subdivision road, to be designated as a Town Street, must submit the following information to the Town Planner for evaluation:

1. Two complete subdivision construction plats, including any future expansion plans
2. Horizontal alignment indicating general curve data on site plan
3. Typical Road Way Section
4. Vicinity Map
5. Four (4) copies of the recorded plat
6. Drainage facilities to be reviewed by the Public Works Director.
7. If the new subdivision road will connect to a state road, a permit authorizing construction on the state right-of-way must be obtained from the Division of Highways before construction begins.

E. *Streets that do not qualify for Town Street System*

1. Streets that do not qualify for admittance into the Town Street System will be eligible for some minor street maintenance and repair provided by the Town on a case-by-case basis. Those requesting assistance must do so in writing.
2. All requests must include:
 - a. Street name
 - b. Street location
 - c. Number of homes/lots that the street services
 - d. Specific service request.
3. Applications for street maintenance assistance will be accepted twice a year. Assistance applications and deadline schedules will be held in the Town Clerk's Office. A project review committee will prioritize projects. Projects will be completed as funding allows.

F. *Street Classification Definitions*

1. **LOCAL STREET** is a street or a section of a road which:
 - a. Provides direct or indirect access from the entrance of the subdivision

inward to five (5) or more existing or proposed residential lots and/or dwelling units and is designed to be the main travel path for the residential access. In calculating residential density, dwelling units having driveway access on the subject road and dwelling units on side roads which feed the subject residential collector road shall be counted.

2. **RESIDENTIAL STREET** is a street or group of streets which abuts less than 5 residential lots or serves less than 5 existing or proposed residential dwelling units.
3. **DRIVEWAY** is a street which abuts no more than two (2) residential lots, each containing or to contain no more than one (1) existing or proposed residential dwelling unit and its associated driveway. Not eligible for Town Street Maintenance.

G. *Minimum Street Design and Construction Standards*

1. If not specifically listed in Table 7-1 below or elsewhere in this Section, design and subsequent construction of streets shall be reviewed by the Planning Board based on the standards and requirements of the NCDOT and with the local NCDOT District Engineer policy modifications.
2. Deviations from the Minimum Street Design & Construction Standards may be granted as part of a Conditional Zoning District by the Board of Aldermen or by the Zoning Board of Adjustment on an individual basis. The Board shall consider several different factors before issuing a deviation such as but not limited to; the developer’s attempt to minimize environmental damage, lot specific topographic challenges, average daily vehicle counts, recommendations from public safety officials, and the Planning Board. Deviations granted may impact the street’s/subdivision’s eligibility in the Town Street Maintenance System. All deviations granted by the Board must appear on the Final Plat.
3. Table 7-1: Minimum Street Design & Construction Standards (and notes)
 - a. One Way Roads are not eligible for Town Street System Maintenance
 - b. “T” or “Y” Turnarounds may be approved by the Town Planning Board on an individual basis. If using a “Y” or “T,” 1 extension extending at least 25 feet and the other extending a minimum of 50 feet and a maximum of 100 feet which will allow a vehicle with a wheel base of at least 25 feet to complete a turning movement with a maximum of 1 backing movement, may be considered.

Road Classification Table 7-1		
Item	Local	Residential
Number of dwelling units served	5	3-4
Road Right of Way	30 feet	25 feet
Maximum grade		

(measured at 50 feet intervals)	18%	18%
Minimum travelway width (2 way road)	18 feet	16 feet
Shoulder width (each side, 2 way road)	2 feet	2 feet
Cul-de-Sac (radius)	30 feet	20 feet
Vertical Clearance	15 feet	15 feet
Design Speed	20 mph	15 mph
Subgrades pre-base	95% compaction	95% compaction
Stone base (ABC) compacted	8 inches	8 inches
Subgrades pre-pavement	100% compaction	100% compaction
Asphalt	2 inches of I-2	2 inches of I-2
Cut Slope	1:1	1:1
Fill slope	1 1/2 : 1	1 1/2 : 1
Ditch slope	3 to 1	3 to 1
ABC: Aggregate Base Course; I-2 Asphalt		

4. *Road drainage and culverts*

- a. All road or drainage structures shall be constructed in accordance with NCDOT state road standards. Road drainage side ditches shall be constructed with sufficient depth and width to carry the expected volume of storm water runoff. Where the road crosses streams or minor watercourses, culverts shall be designed and installed in accordance with state road standards. Site plans shall show all the drainage culvert locations, as well as the length, diameter and type of culvert. The road should be built so that water will drain from the road surface into side ditches. Crosspipe drainage should be a minimum of 18 inches. Driveways may be a minimum of 15 inches except where abutting or intersecting a DOT or state maintained road which will require a minimum of 18 inches.
- b. All site plans shall show the general drainage patterns of all areas of the subdivision. Where the drainage of the subdivision does not follow the natural drainage of the property, the applicant shall design the new drainage systems, including swales, ditches, pipes, culverts, detention ponds, lakes or similar devices, to minimize any adverse effect on the proposed subdivision and on adjacent and downstream

properties. Stormwater drainage improvements shall be designed and constructed to minimize erosion and downstream sedimentation, to follow natural drainage where possible, to minimize flooding or standing water conditions, to maintain desirable groundwater conditions and to avoid excessive storm water discharge. Points of storm water discharge shall be within the site unless otherwise approved by the Planning Board and adjoining property owners.

- c. All bridges and major culverts shall be designed according to state road standards.
 - d. All newly proposed Roads shall meet the minimum standards to be accepted into the Powell Bill Maintenance Program.
 - e. An easement shall be reserved on-site by the applicant, or otherwise provided, conforming with the lines of any drainage way into which natural runoff has been diverted. Drainage improvements, where applicable, shall be designed in accordance with state road standards.
5. *Road materials and compaction.* All roads must be constructed with suitable stone and compacted properly. Used asphalt is unacceptable as a base course. The subbase must be of suitable soil capable of supporting the road above. All soil subgrades must meet 95 percent compaction prior to the placement of base material. All ABC base must meet 100 percent compaction prior to the placement of pavement. Documents to support compaction tests, from an independent testing authority shall be submitted upon request. Compaction tests must be of sufficient number to accurately reflect the project length.
6. *Grades.* Because of the difficulty of operating vehicles on steep grades and the high potential for erosion, where possible, roads should be constructed along the contour of the land. No paved road collector, local or limited road may exceed 18% grade. A professional engineer or professional land surveyor shall certify on the Final Plat that no portion of the road(s) have grades that exceed maximum allowable grade as defined herein or submit a final as-built graded center line profile showing grade and alignment for all roads.
7. *Shoulder Stabilization.* All areas disturbed by the construction of a private and/or a public road, including cut and fill slopes, shoulders and ditch banks, shall be seeded in permanent vegetation to stabilize the soil and prevent erosion. Seeding should be done as soon as feasible after road construction.
8. *Intersections.* Adequate sight distances along the proposed roads shall be provided by choosing a good location for the right-of-way and clearing sight triangles when building the road. The intersection of roads must provide an adequate place for vehicles to stop before entering the road. Roads must have an apron design at proposed intersections in order to permit a vehicle to enter when another vehicle is waiting to turn.
9. *Dead ends, cul-de-sacs, and turnarounds.* Loop roads should be encouraged where possible in lieu of cul-de-sac. The Planning Board shall require the installation of a temporary turnaround at the end of a phased project. The required turnaround on a dead-end road shall have a roadway radius of not less than 30 feet. Stub roads shall be designed in locations which will permit the future extension of subdivision roads.

10. *Bridges.* No bridge will be eligible for Town Street System Maintenance. If bridges in residential subdivisions are proposed, the applicant must submit a copy of bridge plans showing certification from a registered professional engineer indicating that the bridge plans meet state road standards for public road bridges for drainage, hydraulics and minimum live load. Prior to Final Plat approval or release of any improvement guarantee, the applicant must submit a copy of an as-built drawing of the bridge with certification from a registered professional engineer that the bridge meets the standards required in this section.
11. *Dams.* No dam will be eligible for Town Street System Maintenance. If dams in residential subdivisions are proposed, the applicant must submit a copy of dam plans showing certification from a registered professional engineer indicating that the dam plans meet state road standards for public road dams for drainage, hydraulics and minimum live load. Prior to Final Plat approval or release of any improvement guarantee, the applicant must submit a copy of an as-built drawing of the dam with certification from a registered professional engineer that the dam meets the standards required in this section.
12. *Street Lighting.* Street lighting, if so desired by the developer, shall be provided, installed and maintained at the developer's expense throughout the subdivision. Due to safety concerns, upon the approval of the Town of Maggie Valley Public Works Director, the Town of Maggie Valley may assume the operation costs for street lights that conform with at least one of the following conditions:
 - a. The requested location is at the intersection of two (2) or more streets.
 - b. The requested locations is at the terminus (cul-de-sac) of a street in excess of 450 feet in total length.
 - c. The requested location is located at a horizontal or vertical curve of a street, which in the opinion of the Chief of Police, may be hazardous condition to vehicular or pedestrian traffic.
13. *Street Names.* Proposed road names for a private and/or a public road shall be pre-approved by the Town of Maggie Valley before submitting to Haywood County in accordance with the Haywood County Property Address Ordinance. Proposed roads which are obviously in alignment with other roads already existing and named shall bear the names of the existing roads. In no case shall names for proposed roads duplicate or be phonetically similar to existing road names in Haywood County, irrespective of the use of the suffix (i.e., road, avenue, boulevard, drive, place, court and the like). Road names shall not exceed 15 characters, including spaces, but not including prefixes and suffixes. For mapping purposes, short roads should have correspondingly short road names.
14. *Road Name Signs & Regulatory Signs.* Each subdivision shall provide road name signs and regulatory signs (speed limit signs, stop signs, and the like) in accordance with the Haywood County Property Address Ordinance and with applicable federal, state and local laws, rules and regulations.
15. *Subdivision Name & Signage.* All major subdivisions may provide for, at the primary entrance, a subdivision name sign to conform to Town of Maggie

Valley sign standards. The signs should be located in dedicated sign easements, which must be shown on the Final Plat. The name of a subdivision shall not duplicate a name that is identical to or phonetically similar to any other subdivision or named community in Haywood County.

AFTER AMENDMENT

156.13 STREET STANDARDS

A. *General Provisions*

1. If the tract to be subdivided is located on both sides of an existing, recorded private right-of way that contains an existing private road, the applicant shall be required to upgrade the portions of the existing private road which are contained on the tract that is being subdivided to meet the road standards found in this Section.
2. It should be understood that all roads proposed to be public must originate as private roads until there is formal dedication and acceptance by the town.
3. Private roads are allowed, only if approved as part of a Conditional Zoning District by the Board of Aldermen or by the Zoning Board of Adjustment on an individual basis. If private roads are approved, then a road maintenance agreement signed by the parties utilizing such private road for access to their property or POA provisions outlining road maintenance responsibilities must be in place and recorded before recordation of a final plat.
4. The applicant shall determine at the time of application if the subdivision roads are to be public, private or a combination of both types.

B. *Right-of-Way Access*

1. All subdivisions greater than two (2) lots must abut on a private or public street right-of-way. The right-of-way shall, for public roads, meet or exceed the minimum width specified in the Road Classification Table (7-1), for private roads, the minimum width approved as part of a Conditional Zoning District by the Board of Aldermen or by the Zoning Board of Adjustment on an individual basis. The right-of-way standards apply within the boundaries of the property being developed.
2. Proposed subdivisions which abut an existing or recorded public or private right-of-way which do not meet the minimum width requirements of this Chapter shall be required to provide additional rights-of-way to conform to the appropriate standards, as provided below. The applicant shall provide up to one-half (1/2) of the required right-of-way measured from the centerline of the existing right-of-way. If the subdivision is located on both sides of the existing road right-of-way, the full right-of way requirement shall be required.

C. *Town Street System Requirements*

1. All roads considered for addition to the Town Street System must be located within the Town Limits.
2. Streets must meet all minimum construction and design standards unless approved as part of a Conditional Zoning District by the Board of Aldermen or by the Zoning Board of Adjustment on an individual basis. Streets that

have received deviations from the street construction and design standards may not be eligible for admission into the Town Street System.

3. Development within a subdivision or masterplan (phased development) ~~subdivision~~ must be 75% complete.
4. A petition for street dedication from all property owners or developer. Developer or property owners must dedicate a free and clear right-of-way.
5. ~~Developer or property owners must dedicate a free and clear right-of-way.~~ All roads considered for addition must be located within the Town Limits.

D. *Application Requirements.* Any developer desiring to construct a new subdivision road, to be designated as a Town Street, must submit the following information to the Town Planner for evaluation:

1. Two complete subdivision construction plats, including any future expansion plans sealed and certified by a licensed engineer ensuring all requirements of section 156.13 are met.
2. Horizontal alignment indicating general curve data on site plan
3. Typical Road Way Section
4. Vicinity Map
5. Four (4) copies of the recorded plat
6. Drainage facilities to be reviewed by the Public Works Director.
7. If the new subdivision road will connect to a state road, a permit authorizing construction on the state right-of-way must be obtained from the North Carolina Department of Transportation ~~Division of Highways~~ before construction begins.

E. *Streets that do not qualify for Town Street System*

1. Streets that do not qualify for admittance into the Town Street System will be eligible for some minor street maintenance and repair provided by the Town on a case-by-case basis and approved by the Board of Aldermen. Those requesting assistance must do so in writing.
2. All requests must include:
 - a. Street name
 - b. Street location
 - c. Number of homes/lots that the street services
 - d. Specific service request.
3. Applications for street maintenance assistance will be accepted in accordance with the Town of Maggie Valley Non-Powell Bill Street Fund Policy. ~~twice a year.~~ Assistance applications and deadline schedules will be held in the Town Clerk's Office. ~~A project review committee will prioritize projects.~~ Projects will be completed as funding allows.

F. *Street Classification Definitions*

1. **LOCAL STREET** is a street or a section of a road which:
 - a. Provides direct or indirect access from the entrance of the subdivision inward to five (5) or more existing or proposed residential lots and/or dwelling units and is designed to be the main travel path for the residential access. In calculating residential density, dwelling units having driveway access on the subject road and dwelling units on side roads which feed the subject residential collector road shall be

counted.

2. **RESIDENTIAL STREET** is a street or group of streets which abuts less than 5 residential lots or serves less than 5 existing or proposed residential dwelling units.
3. **DRIVEWAY** is a street which abuts no more than two (2) residential lots, each containing or to contain no more than one (1) existing or proposed residential dwelling unit and its associated driveway. Not eligible for Town Street Maintenance.

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 - c. [Roads with concrete curb and gutter must meet North Carolina General Statute 136-44.14 for handicap persons.](#)

Road Classification Table 7-1		
Item	Local	Residential
Number of dwelling units served	5	3-4
Road Right of Way	30 feet	25 feet
Maximum grade (measured at 50 feet intervals)	18%	18%
Minimum travelway	18 feet	16 feet

width (2 way road)		
Shoulder width (each side, 2 way road)	2 feet	2 feet
Cul-de-Sac (radius)	30 feet	20 feet
Vertical Clearance	15 feet	15 feet
Design Speed	20 mph	15 mph
Subgrades pre-base	95% compaction	95% compaction
Stone base (ABC) compacted	8 inches	8 inches
Subgrades pre-pavement	100% compaction	100% compaction
Asphalt	2 inches of I-2	2 inches of I-2
Cut Slope	1:1	1:1
Fill slope	1 1/2 : 1	1 1/2 : 1
Ditch slope	3 to 1	3 to 1
ABC: Aggregate Base Course; I-2 Asphalt		

4. *Road drainage and culverts*

- a. All road or drainage structures shall be constructed in accordance with NCDOT state road standards. Road drainage side ditches shall be constructed with sufficient depth and width to carry the expected volume of storm water runoff. Where the road crosses streams or minor watercourses, culverts shall be designed and installed in accordance with state road standards. Site plans shall show all the drainage culvert locations, as well as the length, diameter and type of culvert. The road should be built so that water will drain from the road surface into side ditches. Crosspipe drainage should be a minimum of 18 inches. Driveways may be a minimum of 15 inches except where abutting or intersecting a DOT or state maintained road which will require a minimum of 18 inches.
- b. All site plans shall show the general drainage patterns of all areas of the subdivision. Where the drainage of the subdivision does not follow the natural drainage of the property, the applicant shall design the new drainage systems, including swales, ditches, pipes, culverts, detention ponds, lakes or similar devices, to minimize any adverse effect on the proposed subdivision and on adjacent and downstream properties. Stormwater drainage improvements shall be designed and constructed to minimize erosion and downstream sedimentation, to follow natural drainage where possible, to minimize flooding or

- standing water conditions, to maintain desirable groundwater conditions and to avoid excessive storm water discharge. Points of storm water discharge shall be within the site unless otherwise approved by the Planning Board and adjoining property owners.
- c. All bridges and major culverts shall be designed according to state road standards.
 - d. All newly proposed Roads shall meet the minimum standards to be accepted into the Powell Bill Maintenance Program.
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6. *Grades.* Because of the difficulty of operating vehicles on steep grades and the high potential for erosion, where possible, roads should be constructed along the contour of the land. No paved road collector, local or limited road may exceed 18% grade. A professional engineer or professional land surveyor shall certify on the Final Plat that no portion of the road(s) have grades that exceed maximum allowable grade as defined herein or submit a final as-built graded center line profile showing grade and alignment for all roads.
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11. *Dams.* No dam will be eligible for Town Street System Maintenance. If dams in residential subdivisions are proposed, the applicant must submit a copy of dam plans showing certification from a registered professional engineer indicating that the dam plans meet state road standards for public road dams for drainage, hydraulics and minimum live load. Prior to Final Plat approval or release of any improvement guarantee, the applicant must submit a copy of an as-built drawing of the dam with certification from a registered professional engineer that the dam meets the standards required in this section.
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14. *Road Name Signs & Regulatory Signs.* Each subdivision shall provide road name signs and regulatory signs (speed limit signs, stop signs, and the like) in accordance with the Haywood County Property Address Ordinance and with applicable federal, state and local laws, rules and regulations.
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shall not duplicate a name that is identical to or phonetically similar to any other subdivision or named community in Haywood County.

PASSED AND ADOPTED BY THE TOWN OF MAGGIE VALLEY BOARD OF ALDERMEN DECEMBER 09, 2025.

Attest

Presiding Officer

Mike Eveland, Mayor, Town of
Maggie Valley

A handwritten signature in cursive script that reads "Kathy Johnson".

Kathy Johnson, Town Clerk, Town of
Maggie Valley