

## **Chapter 54 Proposed Amendments**

Formatting modifications throughout in order to be consistent in the document as a whole and to be consistent with Chapter 66 Zoning

Article I modifications include:

- Formatting
- Updating definitions to be consistent with other sections of the Town Code and Code of Virginia
- Removing Plan Sketch and Used from definitions

Article II modifications include:

- Formatting

Article III modifications include:

- Formatting

Article IV modifications include:

- Formatting

Article V modifications include:

- Formatting
- Removing elements that are not used in the Subdivision process

Article VI modifications include:

- Removing elements that are not used in the Subdivision process

Chapter 54

SUBDIVISIONS\*

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~~—\* **Cross reference(s)**--Any ordinance pertaining to subdivision plats saved from repeal, § 1-9(12); buildings and building regulations, ch. 10; environment, ch. 18; floods, ch. 26; historic preservation, ch. 34; signs and advertising, ch. 42; site plan, ch. 46; streets, sidewalks and other public places, ch. 50; zoning, ch. 66.~~

**State law reference(s)**--Land subdivision and development, Code of Virginia, § 15.2-2240 et seq.; Virginia Public Records Act, Code of Virginia, § 42.1-76 et seq.; Subdivided Land Sales Act of 1978, Code of Virginia, § 55-336 et seq.

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## OCOCOQUAN CODE

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ARTICLE I. IN GENERAL

Sec. 54-1. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Unless otherwise specified, all distances shall be measured horizontally and at right angles to the line in relation to which the distance is specified.

~~Agent~~ **means** the representative of the ~~town council~~ Town Council who has been appointed to serve the Council in the processing, reviewing, and approving of preliminary subdivision plats.

~~Alley~~ **means** a permanent service right-of-way providing a secondary means of access to abutting properties, which shall be construed to include but not be limited to rights-of-way known as Poplar Alley, Center Lane, Cooper's Alley and Hill Alley.

~~Authorized representative~~ **means** the individual appointed by the ~~town council~~ Town Council for the day-to-day enforcement and inspection of this chapter.

~~Base Flood~~ **means** a flood that has a one percent chance of being equaled or exceeded in any given year. Also referred to as the 100-year flood.

~~Base Flood Elevation (BFE)~~ **means** the water surface elevation of the Base Flood in relation to the datum specified on the Flood Insurance Study and Flood Insurance Rate Map.

~~Building~~ **means** any enclosed or open structure other than a tent or mobile home having a roof supported by columns or walls designed to support, shelter, house, or enclose persons, animals or property of any kind. ~~any structure having a roof, supported by columns or walls, for the housing or enclosure of persons, animals, vehicles or other personal property.~~ The word "building" includes the word "structure."

~~Building/Code Official~~ **means** the person appointed by the ~~town council~~ Town Council who issues the building permits for the structural design, construction, alteration, reconstruction, repair, restoration, demolition or razing of all or part of any building. It includes a Deputy Building/Code Official.

~~Building/code official~~ **means** the ~~building/code official for the Town of Occoquan.~~

~~Building permit~~ **means** an approval statement signed by the zoning administrator ~~an approval statement signed by the zoning administrator~~ Zoning Administrator and the code official authorizing the construction, alteration, reconstruction, repair, restoration, demolition or razing of all or a part of any building. ~~a document issued by the building/code official granting permission to another party to construct, extend, repair, remove or alter a structure.~~

~~Building setback~~ **means** the minimum distance by which any structure must be separated from the front property line of a lot.

~~Chesapeake Bay Preservation Area or (CBPA)~~ – see ~~definition in~~ Chapter 66, Section 66-193 of ~~the Zoning Ordinance, Section 66-193.~~

~~Chief engineering officer~~ **means** the licensed engineer designated by the ~~town council~~ Town Council to furnish engineering assistance for the administration of this chapter.

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*Clerk* ~~means~~ the clerk of the ~~e~~Circuit ~~e~~Court of ~~the~~ Prince William County.

*Commission* ~~means~~ the ~~planning commission~~ Planning Commission of the town.

*Cul-de-sac* ~~means~~ a street with one outlet and ~~with~~ an appropriate turnaround for safe and convenient reverse traffic movement.

*Easement* ~~means~~ a grant or reservation by a property owner to another person for the use of a specified portion, or all, of his property ~~land~~ for a specific purpose, without including title to the property.

*Engineer* ~~means~~ an individual who is qualified to engage in the practice of engineering or land surveying as attested by the issuance to such person of a currently valid license as a professional engineer by the state board for architects, professional engineers, land surveyors, certified interior designers and landscape architects, an engineer certified by the commonwealth.

*Floodplain* ~~means~~ an area flooded by a flood of specific frequency or magnitude and, which has been delineated as a regulated area by federal, state or local government order through the use of maps, flood elevations, flood profiles, or other techniques.

*Frontage* ~~means~~ the distance measured from side lot line to side lot line, along a parallel to the street line, for which the front boundary line, lot and street are coincident.

*Health official* ~~means~~ the health director or sanitarian serving the town.

*Highway engineer* ~~means~~ the resident engineer employed by the state department of transportation and serving the town.

*Jurisdiction* ~~means~~ the area or territory subject to the legislative control of the ~~town council~~ Town Council.

*Land use and use of land* also include "building use" and "use of building."

*Lot* a parcel of land created by a metes and bounds description or plat of subdivision meeting minimum zoning requirements for area, coverage, setbacks and other spaces as required at time of recordation ~~means a piece or parcel of land within a subdivision, set off by metes and bounds, and not susceptible to further division, except as provided in this chapter.~~ The word "lot" includes the words "plot" and "parcel."

*Lot, corner,* ~~means~~ a lot abutting upon two or more streets, at their intersection; the shortest side, fronting upon a street, shall be considered the front of the lot, and the longest side, fronting upon a street, shall be considered the side of the lot.

*Lot, depth of,* ~~means~~ the mean horizontal distance between the front and rear lot lines.

*Lot, double-frontage,* ~~means~~ an interior lot having frontage on two streets.

*Lot, interior,* ~~means~~ a lot other than a corner lot.

~~Lot of record~~ a lot which has been legally recorded in the Clerk of the Court's Office means a lot which has been recorded in the office of the clerk of the appropriate court.

~~Lot, width of,~~ means the mean horizontal distance between the side lot lines.

~~Owner~~ means any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to the land sought to be subdivided under this chapter.

~~Pedestrian way or crosswalk~~ means a right-of-way across, along, or within a block, for use by pedestrian traffic, whether designated as a pedestrian way, crosswalk, or otherwise designated, ~~and~~ which may include utilities.

~~Planned unit development~~ means parcels set aside for specialized purposes where tracts suitable in location, area and character for the uses and structures proposed are to be planned and developed on a unified basis.

~~Plat, final,~~ means the map or plan of a subdivision of land that meets all the requirements of this chapter, including any accompanying material ~~which~~ that may be required.

~~Plat, preliminary,~~ means the ~~plan or location~~ map of a property drawn to scale, submitted ~~as a cover sheet,~~ with all tentative plans ~~and plats~~ showing the relationship of the proposed subdivision to existing railroads, lakes, rivers, off-site drainage areas, creeks, public and semipublic facilities, ~~as well as to any existing or proposed adjacent subdivisions within 1,000 feet of the proposed subdivision boundary.~~

~~Plat, sketch,~~ means a map showing the salient features of a proposed subdivision, ~~submitted for purposes of preliminary consideration.~~

~~Resource Protection Area or (RPA)~~ — see Chapter 66, Section 66-193 of the Zoning Ordinance.

~~see definition in Chapter 66, Zoning Ordinance, Section 66-193.~~

~~Re-subdivision~~ means an authorized change in property lines of a recorded subdivision.

~~Right-of-way~~ means a strip of land dedicated or reserved for a street, crosswalk, railroad, road, water main, sanitary or storm sewer main, public utility or other special uses. For land platting purposes, the term "right-of-way" shall mean that every right-of-way, established after November 1, 1981, and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and is not included within the dimensions or areas of such lots or parcels. A right-of-way intended for a street, crosswalk, water main, sanitary sewer storm drain or any other use, involving maintenance by a public agency, shall be dedicated to public use.

~~Secretary~~ means the secretary of the ~~planning commission~~ Planning Commission of the town.

~~Street~~ means a strip of land, including the entire right-of-way intended to be dedicated for use as a means of vehicular and pedestrian circulation by the public at large. The term "street" includes avenues, boulevards, highways, roads, bridges and the approaches thereto and all other public thoroughfares, but not alleys.

~~Street, arterial,~~ means any existing or future street, identified in any adopted plan, ~~which carries~~ carrying traffic, or anticipated traffic, of more than 3,000 vehicles per day.

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*Street, major, means* any existing or future street, identified in an adopted plan, ~~which carries~~ carrying traffic, or anticipated traffic, of 500 to 3,000 vehicles per day.

*Street, minor, means* any existing or future street that is primarily used ~~primarily~~ as a means of public access to abutting properties, with anticipated traffic of less than 500 vehicles per day.

*Street, service, means* a public street, generally parallel and contiguous to major streets, primarily designed to promote safety by properly spacing points of access to major streets.

*Street width means* the total right-of-way width of the strip of land dedicated or reserved for public travel, including roadway, curb, gutter, sidewalk and planting strip.

*Subdivider means* a person owning any tract, lot or parcel of land to be subdivided, or a group of two or more persons owning any tract, lot or parcel of land to be subdivided, or a person given power of attorney to act on the owner's behalf in the subdivision of land.

*Subdivision means* the division of a parcel of land into two or more lots or parcels of less than three acres each for the purpose of transfer of ownership or building development; or, if a new street is involved in such division, any division of a parcel of land. The word "subdivision," or any derivative thereof, shall have reference to the term "subdivider."

*Surveyor means* a land surveyor certified by the Commonwealth of Virginia.

~~Used also includes "erected," "reconstructed," "altered," "placed" or "moved."~~

~~(Code 1981, § 14-1) (Ord. O-2012-03, § 54-1; Ord. O-2016-01, § 54-1)~~

~~Cross reference(s) Definitions generally, § 1-2.~~

**Sec. 54-2. Purpose.**

The purpose of this chapter is to establish certain subdivision standards and procedures for the town as provided for by Code of Virginia, §§ 15.2-2240--15.2-2279. These regulations are part of a long-range plan to guide and facilitate the orderly, beneficial growth of the community, and to promote the public health, safety, convenience, comfort, prosperity, and general welfare. ~~Most~~ More specifically, the purposes of these standards and procedures are to provide a guide for the change that occurs when land is developed for residential, business, or industrial purposes; ~~to provide~~ assurance that the purchasers of lots are buying a commodity that is suitable for development and use; and to make possible the provision of public services in a safe, adequate, and efficient manner. Subdivided land eventually becomes a public responsibility because roads and streets must be maintained, and numerous public services customary to urban areas must be provided. This chapter assists the community in meeting these responsibilities.

~~(Code 1981, § 14-2)~~

**Sec. 54-3. Exception.**

Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, and

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where, in the opinion of the agent, an exception may be made without destroying the intent of such provisions, the agent, with approval of the Council, may authorize an exception.

Any exception to be authorized shall be stated, in writing, by the agent, with the reasoning ~~set forth~~ upon which the exception is justified. No ~~such~~ exception to this chapter may be granted if it is opposed, in writing, by the ~~highway-Town~~ engineer or health official.

~~(Code 1981, § 14.31)~~

**Sec. 54-4. Amendments.**

This chapter may be amended, in whole or in part, by the Council, provided that any such amendment shall either originate with or be submitted to the ~~planning commission~~ Planning Commission for its recommendation; and further provided that no such amendment ~~shall~~ be adopted without a public hearing ~~having been~~ held by the Council. Notice of the time and place of the hearing shall have been given in accordance with the provisions of Code of Virginia, § 15.2-2204.

~~(Code 1981, § 14.34)~~

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**Sec. 54-5. Penalties.**

Any person violating the provisions of this chapter shall be subject to a fine of not more than \$500.00 for each lot or parcel of land ~~so~~ subdivided, ~~or~~ transferred or sold, and the description of such lot or parcel, by metes and bounds, in the instrument of transfer or other document used in the process of selling or transferring, shall not exempt the transaction from such penalties, or from the remedies provided in this chapter.

~~(Code 1981, § 14-32)~~

**Secs. 54-6--54-35. Reserved.**

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§ 54-1

## SUBDIVISIONS

### ARTICLE II. ADMINISTRATION\*

#### DIVISION 1. GENERALLY

Secs. 54-36--54-55. Reserved.

#### DIVISION 2. AGENT

##### Sec. 54-56. Appointed.

The agent appointed by the ~~town council~~Town Council is delegated the responsibility and authority to oversee ~~the~~ administration of this chapter and shall have the responsibility of approving or ~~disapproving~~denying the preliminary plat.

~~(Code 1981, § 14-4)~~

##### Sec. 54-57. Duties.

The agent and authorized representatives shall perform their duties regarding subdivisions and subdividing in accordance with this chapter and the Land Subdivision and Development Act, Code of Virginia, § 15.2-2240 et seq.

~~(Code 1981, § 14-5)~~

##### Sec. 54-58. Consultation.

In the performance of their duties, the agent and authorized representatives may call for opinions or decisions, either oral or written, ~~upon~~from other departments in considering details of any submitted plat. This authority of the agent shall have particular reference to the resident highway engineer, health official, sanitary district, fire marshal and ~~planning commission~~Planning Commission.

~~(Code 1981, § 14-6)~~

##### Sec. 54-59. Additional authority.

In addition to the regulations contained in this chapter for the platting of subdivisions, the agent or authorized representatives may, from time to time, establish any reasonable additional administrative procedures deemed necessary for the administration of this chapter.

~~(Code 1981, § 14-7)~~

Secs. 54-60--54-90. Reserved.

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**ARTICLE III. COMPLIANCE WITH CHAPTER**

**Sec. 54-91. Platting required.**

Any owner or developer of any tract of land situated within the town who subdivides ~~the a parcel of~~ land shall prepare a plat of such subdivision, in accordance with the provisions of this chapter, and shall record the plat in the office of the ~~e~~Clerk of the ~~appropriate e~~Court. No such subdivision plat shall be recorded unless it has been submitted to the agent, approved, and certified by the ~~town council~~Town Council in accordance with the regulations set forth in this chapter.

~~(Code 1981, § 14.8)~~

**Sec. 54-92. Recordation required.**

No lot shall be sold in any proposed subdivision, nor shall any building permit be granted, until a final plat for the subdivision ~~shall have been~~is approved and recorded.

~~(Code 1981, § 14.9)~~

**Sec. 54-93. Appeals.**

If a final plat of a subdivision is ~~disapproved-denied~~ by ~~the town council~~Town Council, the subdivider may appeal the decision of the ~~town council~~Town Council to the circuit court of the county. If a preliminary plat has been ~~disapproved-denied~~ by the agent, the subdivider may appeal the decision of the agent to the ~~town council~~Town Council.

~~(Code 1981, § 14.10)~~

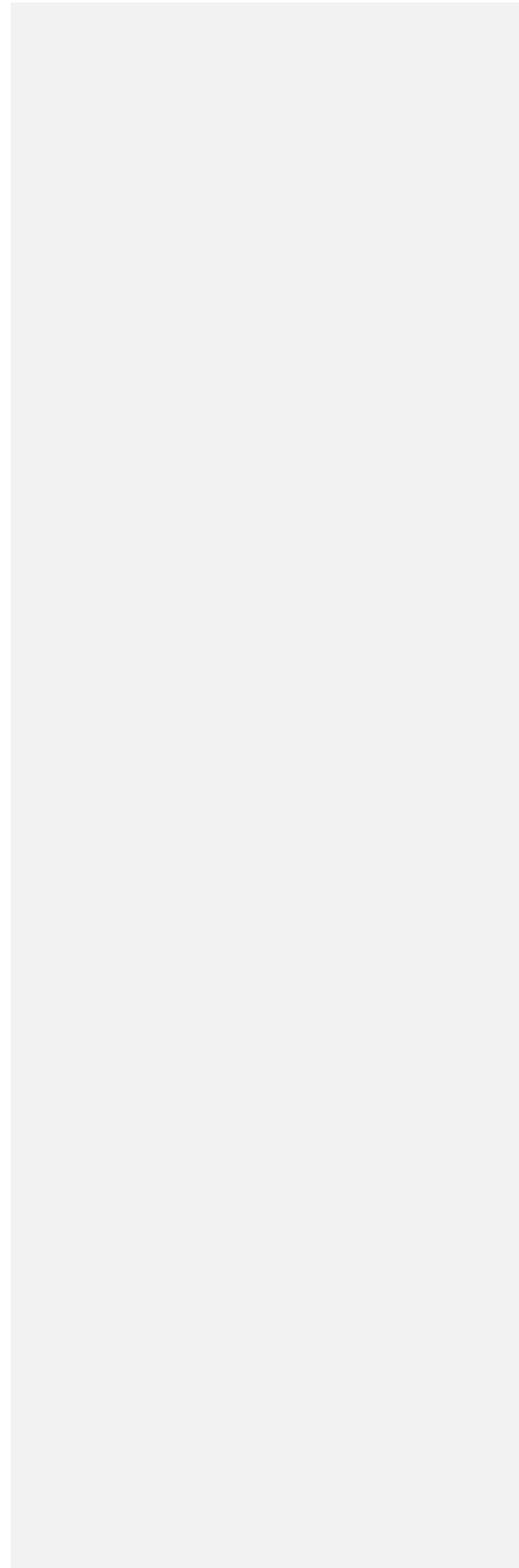
**Secs. 54-94--54-125. Reserved.**

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§ 54-1

SUBDIVISIONS



ARTICLE IV. PREPARATION AND RECORDATION OF SUBDIVISION PLATS

Sec. 54-126. Draw and certify.

Every subdivision plat intended for recordation ~~or the deed of dedication to which the plat is attached~~ shall be prepared by a surveyor or engineer, who shall endorse upon each plat a certificate, signed by him, setting forth the source of the title of the land subdivided and the place of record of the last instrument in the chain of title. When the plat is of land acquired from more than one source of title, the outlines of the several tracts shall be indicated upon such plats, within an inset block, or by means of a dotted line upon the plat.

~~(Code 1981, § 14-11)~~

Sec. 54-127. Owner's statement.

Every subdivision plat intended for recording or ~~the~~ deed of dedication to which the plat is attached shall contain, in addition to the surveyor's or engineer's certificate, the following statement:

"The platting or dedication of the following described land (~~here~~ insert a correct description of the land being subdivided) is with the free consent and in accordance with the desire of the undersigned owners, proprietors and trustees." ~~if any.~~

~~The above This statement~~ shall be signed by the owners, proprietors, and trustees, if any, and shall be duly ~~acknowledged before some officer authorized to take acknowledgements of deeds~~ notarized and, ~~when thus~~ executed and approved, shall be filed and recorded in the office of the clerk of the ~~appropriate~~ court, ~~and indexed under the names of the landowners signing such statement and under the name of the subdivision.~~

~~(Code 1981, § 14-12)~~

Sec. 54-128. No person exempt.

No person shall subdivide any tract of land that is located within the town except in ~~conformity~~ conformance with the provisions of this chapter.

~~(Code 1981, § 14-13)~~

Sec. 54-129. Private contracts.

This chapter bears no relation to any private easement, covenant, agreement, or restriction, nor is the responsibility of enforcing such private easement, covenant, agreement, or restriction implied in this chapter to any public official. When this chapter calls for more restrictive standards than ~~are~~ required by a private contract, the provisions of this chapter shall ~~control~~ prevail.

~~(Code 1981, § 14-14)~~

Sec. 54-130. Changes.

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No change, erasure, or revision shall be made on any subdivision plat intended for recording, nor on accompanying data sheets, after the written approval of the ~~town council~~Town Council ~~has been endorsed, in writing,~~ on the plat or sheets, unless written authorization for such change has been granted, ~~in writing,~~ by the ~~town council~~Town Council.

~~(Code 1981, § 14-15)~~

**Sec. 54-131. Fees.**

There shall be a charge for the examination of every plat reviewed. At the time of filing the plat, the subdivider shall deposit with the town checks payable to the town in amounts specified by the adopted schedule of ~~fees adopted by the town.~~

~~(Code 1981, § 14-16)~~

**Sec. 54-132. Transfer of areas for public use.**

The recording of a plat shall ~~operate to serve to~~ transfer, in fee simple, to the town all portions of the area platted that are set apart for streets, alleys, easements, or other public use, and to create a public right-of-passage over them. No such areas dedicated to public use shall be encumbered by easements retained by the subdivider or granted to utility companies or other corporate or natural persons. Nothing contained herein, however, shall prevent the subdivider from constructing and maintaining improvements ~~as~~ required by this chapter.

~~(Code 1981, § 14-17)~~

**Secs. 54-133--54-165. Reserved.**

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ARTICLE V. GENERAL REGULATIONS

Sec. 54-166. Mutual responsibility.

There is a mutual responsibility between the subdivider and the town to divide the land so as to improve the general use pattern of the land being subdivided.

~~(Code 1981, § 14-18)~~

Sec. 54-167. ~~Land must be suitable~~Suitable land.

The ~~town council~~Town Council may not approve the subdivision of land if it has been determined that, from adequate investigations conducted by all public agencies concerned and, ~~it has been determined that~~, in the best interest of the public, the site is not suitable for the platting and development purposes ~~of the kind being~~ proposed. The ~~town council~~Town Council may require the subdivider to furnish topographic maps, floodplain profile elevation information, or other relevant information.

~~(Code 1981, § 14-19)~~

Sec. 54-168. Flooding.

~~(a) (a)~~ All subdivision proposals shall be consistent with the need to minimize flood damage.

(b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

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- (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, ~~and~~
- (d) ~~In~~ areas where a Base Flood Elevation has not been previously established, Base Flood Elevation data shall be obtained from other sources or developed using detailed methodologies, hydraulic and hydrologic analysis, comparable to those contained in a Flood Insurance Study for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser.
- (e) Land in the 100-year floodplain, other land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for such other uses in such a way as to endanger health, life or property, or aggravate erosion or flood hazard. Such land within the subdivision shall be set aside on the plat for such uses as shall neither be endangered by periodic or occasional inundation, nor produce conditions contrary to public welfare.

(Code 1981, § 14-20; Ord. O 2016-01, § 54-168)

Sec. 54-169. Improvements.

- (a) ~~(a) Generally.~~ All required improvements shall be installed by the subdivider at his cost. Specifications that have been established either by the ~~Virginia Depastate department of~~ Transportation (VDOT) for streets, ~~curbs,~~ or town regulations, ordinances, and codes shall be followed. The subdivider's bond shall not be released until all construction has been completed and approved by the chief engineering officer or appropriate official. All improvements shall be in accordance with the requirements of this section.
- (b) ~~(b) Streets.~~ All public streets in the proposed subdivision shall be designed and constructed in accordance with the standards set by ~~the state department of transportation~~ VDOT for acceptance into the state secondary road system, and at no cost to the town.
  - 1. ~~(1) Alignment and layout.~~
    - a. The arrangement of streets in new subdivisions shall make provision for the continuation of existing streets in adjoining areas and ~~and~~ proposed streets, as shown on the approved site in the adopted plan. The street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seeking to provide for convenient access to their property to it.
    - b. Where, in the opinion of the agent, it is desirable to provide for street access to adjoining ~~properties,~~ the right-of-way of the proposed streets shall be extended to the boundary line of such ~~properties.~~
    - c. Half streets along the boundary of land proposed for subdivision shall not be permitted.

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d. Wherever possible, streets shall intersect at right angles. In all hillside areas, streets running with contours shall be required to meet the intersecting streets at angles of not less than 60 degrees unless approved by the agent upon recommendation of the highway engineer.

~~(2) Access to major streets. Where a subdivision borders on or contains an existing or proposed arterial street, the council may permit the subdivider to provide that the access to such street be limited by one or more of the following means:~~

~~a. The subdivision of lots so that they will back onto the arterial street and front onto a parallel minor or major street. No access shall be provided from the major street, and a screen planting shall be provided in a strip of land along the rear property line of such lots.~~

~~b. The subdivision of lots along a series of culs de sac, U shaped streets, or short loops entered from and designed generally at right angles to such a parallel major or minor street, with the rear lines of the terminal lots contiguous with the arterial street right of way.~~

~~c. The subdivision of lots along a service street and physically separated from the major street by a planting or grass strip, and having access to the major street at approved points.~~

~~(3) Approach angle. Arterial streets shall approach major and minor streets at an angle that is in accordance with specifications of the state department of transportation.~~

~~(4) Minimum widths. The minimum width of proposed streets, measured from lot line to lot line, shall be 50 feet, or as specified by the state department of transportation for acceptance into the state secondary road system.~~

~~(5) Culs-de-sac. Generally, permanent culs-de-sac shall be no longer than 400 feet to the beginning of the turnaround. Each cul de sac must be terminated by a turnaround not less than 100 feet in diameter.~~

~~(6)2. Alleys. No alleys shall be platted and/or allowed within any subdivision on or after November 1, 1984. Use of alleys in new subdivisions is not permitted.~~

~~3.(7) Private streets.~~

~~Private streets and reserve strips. Private streets shall not be allowed in any new subdivisions platted after November 1, 1984; except that townhouse, multifamily and apartment projects may have access to a publicly maintained road via a private street, provided that it meets the appropriate design standards as approved by the town council. Town Council of the town regulations. In no case shall there be no reserve strips.~~

~~a.~~

~~a. Private streets shall be platted such that all lot owners are assured perpetual right of access to a publicly maintained street. The final plat shall note each private street as "privately owned and privately maintained by the lot owner(s)." The final plat shall also provide an adequate easement for ingress, egress, maintenance of utilities, and public agencies, including police and fire departments, to allow them to carry out their duties.~~

~~b.~~

OCCOQUAN CODE

§ 54-131

~~c.~~ ~~b.~~ Private streets shall be constructed of minimum pavement design of six-inch 21A subgrade and two-inch SM-2A asphalt surface. Dead-end streets or cul-de-sac shall be terminated with an approved turnaround as detailed in drawing no. PST-1.

**Editor's note**--The drawing referred to in the above paragraph is on file in the town hall.

~~(8)~~4. *Names.*

a. Proposed streets that are obviously in alignment with other existing and named streets shall bear the names of the duplicate existing street names, ~~irrespective regardless~~ of the use of the suffixes "street," "avenue," "boulevard," "road," "driveway," "place," "lane," or "court."

b. Street names shall be indicated on the preliminary and final plats and shall be approved by the council.

c. Names of existing streets shall not be changed, except by approval of the council.

d. Street names shall be approved by GIS for full use in the 9-1-1 system.

~~(9)~~5. *Identification signs.* Street identification signs, ~~shall be~~ readable from either side of a design approved by the council, ~~shall be and~~ installed at all intersections by the subdivider ~~at all intersections~~.

(c) *Monuments.*

~~1.~~(1) *Installation.* ~~As required by this chapter, a~~All monuments ~~must shall~~ be installed by the subdivider and shall meet the minimum specifications described in this subsection. Upon completion of subdivision streets, sewers, and other improvements, the subdivider shall make certain that all required monuments are clearly visible for inspection and use. Such monuments shall be inspected and approved before any improvements are accepted by the ~~e~~Council.

~~(2)~~2. *Location.*

a. ~~Concrete. Concrete monuments four inches in diameter or four inches square, three feet long, with a flat top, shall be set at all street corners, at all points where the street line intersects the exterior boundaries of the subdivision, and at right angle points of curve in each street. The top of the monument shall have an appropriate mark to identify properly the location and shall be set flush with the finished grade.~~

b. ~~Iron pipe.~~ All lot corners, other than those at street corners, shall be marked with iron pipe not less than three-fourths inch in diameter and 24 inches long, and driven so as to be flush with the finished grade. When rock is encountered, a hole shall be drilled four inches deep in the rock ~~and a steel rod one-half inch in diameter into which shall be cemented therein a steel rod one half inch in diameter~~, the top of which shall be flush with the finished grade.

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—(d) *Water facilities.* Public water service shall be extended by the subdivider to all lots within a subdivision, in accordance with the approved ~~design standards and specifications for water service, construction and improvements in the town~~ site plan.

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—(e) *Sewerage facilities.* Public sewerage facilities shall be extended by the subdivider to all lots within a subdivision, and septic tanks will not be permitted. The subdivider shall provide each lot with a satisfactory and sanitary means of sewage collection and disposal in accordance with the approved site plan ~~in accordance with the approved design standards and specifications for sewage construction and improvements in the town~~.

—(f) *Storm drainage facilities.* The subdivider shall provide all necessary information needed to determine what drainage improvements are necessary to develop ~~properly~~ such property. ~~Such information shall include but may not be limited to contour data and drainage plans. The subdivider shall also provide plans for all such improvements, together with an engineer's or surveyor's statement that such improvements, when properly installed, will be adequate for development. The highway engineer shall then approve or disapprove the plans. The subdivider shall also provide any other information required by the highway engineer.~~ The subdivider shall install the approved storm drainage facilities in accordance with the approved site plan.

—(g) *Fire protection.* Fire hydrants shall be required in a subdivision at locations approved by the agent, provided adequate public water is available. The location and design of the fire hydrants shall meet the American Insurance Association's specifications and be in accordance with the approved site plan.

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—(h) *Easements.* The council may require the subdivider to provide drainage easements through adjoining property. The width of easement provided for drainage, water, sewer, power lines and other utilities in the subdivision shall be determined by the council.

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—(i) *Plans and specifications.* Six blue or black line prints of the plans and specifications, for all required physical improvements to be installed, shall be prepared by an engineer or land surveyor and shall be submitted with the final plat to the agent for approval ~~or disapproval~~ within 30 days. If approved, one copy, bearing certification of such approval, shall be returned to the subdivider. If ~~disapproved~~ denied, all papers, except for one copy, shall be returned to the subdivider, with the written reason(s) for disapproval stated in writing ~~denial~~.

—(j) *Bonding.*

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—(1) L. *Performance bond.*

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\_\_\_\_\_a. The subdivider shall furnish a cash bond or equivalent, a surety bond of a surety company, or a certified check, payable to the town, in an amount equal to the total cost of the public improvements determined by the Ceommission. Such bond or check shall guarantee that the improvements will be installed within a designated reasonable length of time in a manner acceptable to the Ceouncil. The bond or check shall accompany the final plat. When construction has been completed, approved and accepted on sections of the required improvements, the Ceouncil may release the bond submitted for the amount of the entire required improvements or a portion thereof provided a bond is furnished in leaving an amount adequate the amount to cover the entire cost of the improvements yet to be constructed, approved, and accepted.

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\_\_\_\_\_b. Occupancy permits shall not be issued until all proposed public and private improvements on a site plan are completed; however, the ~~zoning administrator~~Zoning Administrator shall have the authority, in his discretion and in appropriate cases, to accept a completion bond in a satisfactory amount to ~~assure~~ensure completion of public or private improvements in lieu of actual completion where the ~~zoning administrator~~Zoning Administrator finds that a completion bond adequately protects future owners.

2. *Maintenance bond.*

The subdivider shall be required to file a maintenance bond with the council in an amount considered adequate and in a form satisfactory to the council, in order to assure the satisfactory condition of the required improvements, for a period of one year after the date of their acceptance by the council.

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- ~~(3)3.~~ *Staged-Phased development.* If development is projected over a period of years, the ~~planning commission~~Planning Commission may authorize submission of final plats by section or ~~stage phase~~ of development, subject to ~~such~~ requirements or guarantees for improvements in future sections or ~~stages-phases~~ of development ~~as it finds~~ essential for the protection of any approved section of development.
- ~~(4)4.~~ *Absence of bond.* In the absence of a performance bond or check, no final plat shall be approved or recorded until the required improvements have been installed and approved by the agent or his authorized representative.
- ~~(5)5.~~ *Final as-built drawings.* Final as-built drawings, showing all sub-surface utility conditions, shall be provided prior to release of the performance bond. One certified reproducible copy shall be provided to the Council, with accompanying letter certifying accuracy, submitted in sufficient time to permit review prior to release of performance bond.
- (k) *Sidewalks.* ~~In every subdivision developed after November 1, 1981, s~~Sidewalks ~~will shall~~ be constructed in all subdivisions in accordance with the specifications of the state department of transportation.
- (l) *Curb and gutter.* Where deemed necessary by the council, curbs and gutters shall be installed in accordance with the standards and specifications of the town and the state department of transportation.

(Code 1981, § 14-21)

**Sec. 54-170. Lots.**

~~Lots shall be arranged in order that the following considerations are satisfied. The following shall be taken into consideration when subdividing lots:~~

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- ~~(1)~~ *Lot size.* ~~The minimum lot size in any subdivision shall be in accordance with chapter 66 of this Code.~~
- (a2) *Shape.* The lot arrangement, design, and shape shall ~~be such that lots will~~ provide satisfactory and desirable sites for buildings and ~~be~~ properly related to topography, ~~and conform to requirements of this chapter.~~ Lots shall not contain peculiarly shaped extensions solely to provide necessary square footage of area that would be unusable for normal purposes.
- (3b) *Location.* Each lot shall abut ~~on~~ an existing or proposed dedicated public street, or on a street that has become public by right of use. If the existing streets are not 50 feet in width, the subdivider shall make provision, in the deeds to the lots, that all buildings be constructed so as to permit the widening of such roads or streets to a width of 50 feet by dedication ~~of such roads or streets to a width of 50 feet.~~
- (4c) *Corner lots.* ~~Corner lots shall have width sufficient for adequate site distance on both streets, as determined by chapter 66.~~
- (5d) *Side lines.* ~~Side lines of lots shall be approximately at right angles, or radial to the street line.~~

- (e6) *Separate ownership.* Where the land covered by a subdivision includes two or more parcels in separate ownership; and ~~lot arrangement is such that a the~~ property ownership line divides one or more lots, the land in each ~~divided lot so divided~~ shall be transferred by deed to single ownership, simultaneously with the recording of the final plat. This deed is to be deposited with the clerk of the court and held with the final plat until the subdivider is ready to record same, and then both shall be recorded.
- (7f) *Off-street parking and delivery facilities.* All subdivisions, including those intended for business and industrial uses, shall include space set aside for off-street parking and/or delivery facilities, ~~as required by in accordance with e~~ Chapter 66.

~~(Code 1981, § 14-22)~~

**Sec. 54-171. ~~Blocks~~Repealed.**

~~Where created by the subdivision of land, all new blocks shall be designed to comply with the following general requirements:~~

- ~~(1) *Length.* Generally, the maximum length of a block shall be 1,200 feet, and the minimum length of a block upon which lots have frontage shall be 500 feet.~~
- ~~(2) *Width.* Blocks shall be wide enough to allow two tiers of lots of minimum depth, consistent with section 54-170 of this chapter, unless prevented by topographical conditions or size of the property, in which case the council may approve a single tier of lots of minimum depth.~~
- ~~(3) *Orientation.* Where a proposed subdivision will adjoin a major arterial road, the council may require that the greater dimension of the block shall front or back upon such major thoroughfare to avoid unnecessary ingress or egress.~~

~~(Code 1981, § 14-23)~~

**Secs. 54-172--54-200. Reserved.**

ARTICLE VI. APPROVAL OF PLATS

Sec. 54-201. ~~Preliminary sketch~~ **Repealed.**

~~— (a) Required. Prior to the preparation of preliminary or final plats, the subdivider may submit six copies of a preliminary sketch to the authorized representative of the town council. The purpose of a preliminary sketch is to permit the authorized representative to advise the subdivider whether his plans are generally in accordance with the requirements of this chapter.~~

~~— (b) Sketch requirements. The preliminary sketch shall be drawn on white paper, or on a print of topographic map of the property. It shall be drawn to a scale no larger than 100 feet to the inch. It shall show the name, location and dimensions of all streets entering the property, adjacent to the property, or terminating at the boundary of the property to be subdivided. It shall show the location of all proposed streets, lots, parks, playgrounds and other proposed uses of the land to be subdivided and shall include the approximate dimensions.~~

~~— (c) Part of tract. Whenever part of a tract is proposed for platting and it is intended that additional parts will be subdivided in the future, a sketch plan for the entire tract shall be submitted with the preliminary plat. This sketch is merely for informational purposes and is not binding on the subdivider or the council.~~

(Code 1981, § 14-24)

Sec. 54-202. **Preliminary plat.**

The subdivider shall present to the authorized representative six prints of a preliminary layout, at a scale no larger than 100 feet ~~to the per~~ inch, as a preliminary plat. The preliminary plat shall include the following information:

- ~~(a)~~ **Identification.** Name of subdivision, owner, subdivider, person preparing drawing, date of drawing, number of sheets, north point and scale. If true north is used, method of determination must be shown.
- ~~(b)~~ **Location of subdivision** *Vicinity map.* Location of proposed subdivision, by an inset map, at a scale of not less than two inches equal one mile, showing adjoining roads, ~~their road~~ names and numbers, towns, subdivisions, other landmarks ~~and, where appropriate, the existing zoning of the land and adjoining property.~~
- ~~(c)~~ **Boundaries of subdivision.** ~~The~~ A boundary survey or existing survey of record with reference to a known, permanent monument; total acreage; acreage of subdivided area; number ~~and~~ approximate area, and frontage of all building sites; existing buildings within the boundaries of the tract; names of owners and ~~their~~ property lines within the boundaries of the tract and adjoining such boundaries.
- ~~(d)~~ **Streets, utilities and other data.** All existing, platted and proposed streets, ~~their~~ names, numbers and widths; existing utility or other easements; public areas and parking spaces; culverts, drains and watercourses and their names; flood profile; and other pertinent data.

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- ~~(e5)~~ *Drainage.* The storm drainage layout, including drainage easements and means of transporting the drainage to a well-defined open stream that is considered natural drainage, or to another approved drainage control facility.
- ~~(f6)~~ *Water and sewer.* Proposed connections with existing sanitary sewers and existing water supply or alternate means of sewage disposal and water supply. The location of all sewers shall be shown. The distance between manholes shall not exceed 400 feet. The location of all water lines shall be shown, as well as the location of necessary fire hydrants.
- ~~(7)~~ ~~*Street construction.* A typical section showing the proposed street construction.~~
- ~~(g8)~~ *Grades.* ~~Existing and proposed cA contour map showing the c~~ contours at a minimum interval of five feet, ~~including and showing~~ tentative street grades.
- ~~(h9)~~ ~~*Location Aerial or USGS map.* A location map tying the subdivision into the present road system, by using either aerial photographs or topographic maps of the United States Geological Survey.~~
- ~~(10)~~ ~~*Dedication.* All parcels of land to be dedicated for public use and the condition of dedication.~~
- ~~(i11)~~ *Floodplain information.* A map showing the location of the proposed subdivision and/or land development with respect to any designated floodplain district, including information on, but not limited to, the 100-year flood elevations, boundaries of the floodplain districts, proposed lots and sites, fills, floods or erosion protective facilities, and areas subject to special deed restrictions.
- ~~(12)~~ ~~*Erosion and sediment control.* A plat and/or plan showing the procedures that will be followed to ensure that all requirements of chapter 18, article II, shall be met. The preliminary plat shall not be approved until all agencies, commissions and departments empowered to enforce this chapter have approved such plat and/or plan.~~
- ~~(13j)~~ ~~*Resource protection areas Chesapeake Bay areas.* All Resources Protection Areas and Resource Management Areas, as defined by Chapter 66, Zoning, Article II, Division 7, Chesapeake Bay Preservation Overlay District. The delineation of all RPAS.~~

~~(Code 1981, § 14-25) (Ord. O 2012-03, § 54-202)~~

**Sec. 54-203. Approval of preliminary plat.**

The agent shall discuss the preliminary plat with the subdivider in order to determine whether or not the preliminary plat generally conforms to the requirements of this chapter, ~~A~~ article II of ~~C~~ chapter 18, ~~C~~ chapter 66, ~~the state department of transportation~~ VDOT, health department, and any other appropriate ordinance, rule, or regulation. Within 60 days of the preliminary plat submission, the subdivider shall be advised, in writing, by formal letter or by legible markings on the preliminary plat, of any additional data that may be required, and the character and extent of public improvements that will have to be made.

~~(Code 1981, § 14-26)~~

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**Sec. 54-204. No guarantee.**

Approval of the preliminary plat does not guarantee approval of the final plat.

~~(Code 1981, § 14-27)~~

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**Sec. 54-205. Six-month limit.**

Within six months after receiving approval of the preliminary plat, the subdivider shall file with the agent a final subdivision plat in accordance with this chapter. Failure to do so shall make the preliminary approval null and void. The agent may, on written request by the subdivider, grant a one-time, six-month extension of this time limit.

~~(Code 1981, § 14-28)~~

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**Sec. 54-206. Final plat.**

The subdivision plat submitted for final approval and subsequent recording shall be clearly and legibly drawn, at a scale and sheet size acceptable to the Prince William County Clerk of the Circuit Court. ~~In addition to the requirements of the preliminary plat, t~~ The final plat shall conform to any approved site plan for the subdivision and include the following:-

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—(a+) *Drainage.* The complete storm drainage layout, including all pipe sizes, types, drainage easements and means of transporting the drainage.

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—(b2) *Water and sewer.* The location, type, profile, percentage of slope, pipe size and location of manholes for all sewers. The location, type and size of all water lines and the location of necessary control valves shall be shown.

—(c3) *Street construction.* A cross section, showing the proposed street construction, depth and type of base, type of surface, etc.

—(d4) *Grades.* A profile or contour map showing the proposed grades for streets and drainage facilities, including the elevations of existing and proposed ground surface at all street intersections, and at points of major grade change along the center of streets, together with the proposed connecting grade lines.

—(5e) *Approval space.* A blank space, three inches by five inches, reserved for the use of the approving authority.

—(6f) *Certificates of title.* Certificates signed by a surveyor or engineer, setting forth the source of title of the owners of the land subdivided and the place of record of the last instrument in the chain of title.

—(7g) *Owner's statement.* A statement as follows: "The platting or dedication of the following described land (insert a correct description of the land being subdivided) is with the free consent and in accordance with the desire of the undersigned owners, proprietors and trustees."

SUBDIVISIONS

~~to the effect that the subdivision, as it appears on this plat, is with the free consent and in accordance with the desires of the owners, proprietors and trustees, if any, which statement shall be duly acknowledged before some officer authorized to take acknowledgments of deeds.~~

~~(8h)~~ *Identification of tracts.* When the subdivision consists of land acquired from more than one source of title, the outlines of the various tracts shall be indicated by dashes and the identification of the respective tracts shall be placed on the plat.

~~(9i)~~ *Streets, public uses, utilities.*

~~1.~~ ~~a.~~ The accurate location and dimensions by bearings and distances with all curve data on all lots and streets;

~~2.~~ ~~b.~~ Boundaries of all proposed or existing easements;

~~3.~~ ~~e.~~ Parks;

~~4.~~ ~~d.~~ School sites;

~~5.~~ ~~e.~~ All existing public and private streets, ~~their~~including names, numbers, and widths;

~~6.~~ ~~f.~~ Existing utilities, and those to be provided, such as sanitary sewers, storm drains, water mains, manholes and underground conduits, including ~~their~~ sizes and types;

~~7.~~ ~~g.~~ Watercourses and ~~their~~ names; and

~~8.~~ ~~h.~~ Names of owners and ~~their~~ property lines, both within the boundary of the subdivision and adjoining such boundaries.

~~(10j)~~ *Street curves.* The data of all curves along the street frontage shall be shown in detail on the curve data table containing the following: delta, radius, arc, tangent, chord and chord bearings.

~~(11k)~~ *CBPA.* ~~All CBPA information required by Chapter 66, Zoning, Article II, Division 7, Chesapeake Bay Preservation Overlay District, as applicable.~~

~~(12l)~~ *RPA's.* ~~The depiction of all resource protection area boundaries, including a notation to retain an undisturbed and vegetative 100-foot-wide buffer area, as specified in Chapter 66, Zoning, Article II, Division 7, and a notation of the permissibility of only specified exemptions in resource protection areas, including the 100-foot wide buffer areas.~~

~~(m13)~~ *Wetlands.* ~~If the subdivided property contains wetlands, and/or resource protection areas, there shall be a note on the plat which states the following: "Wetlands and land within resource protection areas shall remain in a natural and undisturbed state except for those activities and uses allowed by 9 VAC 10-20-130 of the Chesapeake Bay Preservation Area Designation and Management Regulations."~~

(Code 1981, § 14-29)(Ord. O 2013-02, §54-206)

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**Sec. 54-207. Approval of final plat.**

The completed plat shall be submitted to the council for approval. The plat shall not be approved until the subdivider has complied with the general requirements and minimum standards of design in accordance with this chapter and has made satisfactory arrangements for performance bond, cash, or cash bond to cover the cost of necessary improvements, in lieu of construction, to the satisfaction of the council. ~~Approval of the final plat shall be written on the face of the plat by the council, and no plat shall be recorded until approval has been made. The completed plat shall be submitted to the council for approval.~~ Upon the approval by the council, the plat will be signed by the council or its designated representative, marked "approved," and returned to the subdivider, who will cause the plat to be recorded in the clerk's office of the circuit court of the county. No plat shall be recorded until approval has been made. If ~~not approved~~ the plat submission is denied, the council will return the plat to the subdivider, ~~with indicating~~ with corrections to be made by the subdivider ~~indicated on the plat.~~

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(Code 1981, § 14-30)

**Sec. 54-208. Extension of Subdivision Plat Approvals to Address Housing Crisis.**

Provisions for extension of zoning approvals shall be in conformance with the Code of Virginia § 15.2-2209.1.

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~~(1) Any valid final subdivision plat outstanding as of January 1, 2009, shall remain valid until July 1, 2014, or such later date provided for by the terms of the Town's approval, local ordinance, resolution or regulation, or for a longer period as agreed to by the Town Council by express action and recorded roll call vote. Any other plan or permit associated with such plat extended by this section shall likewise be extended for the same time period.~~

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~~(2) The extension of validity provided in subsection (1) of this section shall not be effective unless any performance bonds and agreements or other financial guarantees of completion of public improvements in or associated with the proposed development are continued in force.~~

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(Ord. O 2009-05, § 54-208)