

Chapter 155, SUBDIVISION OF LAND

[HISTORY: Adopted by the Board of Supervisors of Warren County 2-24-1981.
Amendments noted where applicable.]

GENERAL REFERENCES

Planning Commission -- See Ch. 36.
Building construction -- See Ch. 76.
Road names and signs -- See Ch. 142, Art. I.
Zoning -- See Ch. 180.

ARTICLE I, General Provisions

§ 155-1. Purpose.

- A. The purpose of this chapter is to establish certain subdivision standards and procedures for all the unincorporated areas of Warren County, Virginia, as provided for by the 1950 Code of Virginia, as amended.
- B. These articles 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. More specifically, but not in limitation, the purpose of these standards is to provide for:
 - (1) The change that occurs when lands and acreage become developed for residential, commercial and industrial purposes.
 - (2) Protection for the purchasers of lots to assure that they are buying a commodity that is suitable for building and use.
 - (3) The avoidance of placing an unreasonable burden on the county to provide educational services, water and sewer services, fire and police protection, solid waste disposal and other public services or the necessity of an excessive expenditure of public funds for the supply of such services.
 - (4) The coordination and beneficial design and maintenance of both public and private streets.
 - (5) Control of subdivisions or building sites in floodplain areas of streams and drainage courses and in unsafe land areas.
 - (6) A distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience, comfort, prosperity and general welfare.

§ 155-2. Title.

This chapter is known and may be cited as the "Subdivision Ordinance of Warren County, Virginia," and is authorized pursuant to provisions of Title 15.1, Chapter 11, Article 7, of the Code of Virginia, as amended.

§ 155-3. Definitions and word usage.

For the purpose of this chapter, certain words and terms used herein shall be interpreted or defined as follows:

A. Word usage. Words used in the present tense include the future, words in the singular number include the plural, and the plural, the singular, unless the natural construction of the word indicates otherwise; the word "lot" includes the word "parcel" or "tract"; the word "shall" is mandatory and not discretionary; the word "approve" shall be considered to be followed by the words "or disapproved"; any reference to this chapter includes all ordinances amending or supplementing the same; all distances and areas refer to measurement in a horizontal plane.

B. Definitions.

ADMINISTRATOR -- The representative of the Board of Supervisors who has been appointed by the Board of Supervisors to serve as an agent of the Board for the administration of this chapter. The "Administrator," may be, but is not limited to, the County Administrator or his assistant, if officially designated. The term "agent" as referred to in the chapter shall mean the "Administrator."

ALLEY -- A permanent service way providing a secondary means of vehicular access to the side or rear of abutting properties and not used for general traffic circulation.

APPLICANT -- The owner of land proposed to be subdivided or his representative authorized in writing; the subdivider.

BLOCK -- A tract of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways or boundary lines of municipalities.

BOARD -- The Board of Supervisors of Warren County.

BOND -- A form of security guaranteeing that specified improvements required for subdivision approval will be completed or, if they are not, moneys will be paid to the county to pay for their completion. A "bond" may be a personal, property or corporate bond under this chapter.

BUILDING -- A combination of any materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals or property.

BUILDING SETBACK LINE -- The minimum distance that a building must be set back from the center line of the street right-of-way as specified in the Zoning Ordinance.EN

COMMISSION -- The Planning Commission of Warren County.

CUL-DE-SAC -- A street with only one outlet and having an appropriate turnaround for a safe and convenient reverse traffic movement.

DEDICATION -- The deliberate appropriation or gift of land by its owner for any general and/or public use, reserving to himself no other rights than those that are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

DEVELOPER -- An owner of property being subdivided, whether or not represented by an agent authorized in writing.

EASEMENT -- A grant by a property owner of the use of land for a specific purpose. Such "easement" shall run with the land.

ENGINEER -- An engineer licensed by the Commonwealth of Virginia.

FINAL PLAT -- The final map or plan of a subdivision and any accompanying material as described in these regulations.

FLOODPLAIN -- An area of relatively flat or low land adjoining a river, stream, watercourse or other body of water subject to periodic flooding, as designated in the Zoning Ordinance of Warren County.EN

HEALTH DEPARTMENT -- The Health Department of Warren County.

HIGHWAY, LIMITED ACCESS -- A major highway designed primarily for providing a trafficway for through traffic and, in respect to such highway, owners or occupants of abutting property or other persons have no legal right to access to such highway, except at such points and in such manner as may be determined by the public authority having jurisdiction over such highway.

IMMEDIATE FAMILY MEMBER -- Any person who is a natural or legally defined offspring, spouse or parent.

IMPROVEMENT -- All required utilities and facilities as specified in this chapter including but not limited to streets, storm and sanitary sewers, water lines, curbs, gutters and sidewalks.

JURISDICTION -- The area of territory subject to the legislative control of the Board of Supervisors.

LOT -- A numbered and recorded portion of a subdivision intended for transfer of ownership or for building development for a single building and its accessory building. The word "lot shall be synonymous with the words "tract," "parcel" or "plot."

LOT CORNER -- A lot abutting upon two or more streets at their intersection, the interior angle of such intersection not exceeding 135°.

LOT DEPTH OF -- The mean horizontal distance between the front and rear lot lines.

LOT DOUBLE FRONTAGE -- An interior lot having frontage on two streets.

LOT INTERIOR -- A lot other than a corner lot.

LOT OF RECORD -- A lot which has been recorded in the office of the Clerk of the Circuit Court of Warren County.

LOT WIDTH OF -- The mean horizontal distance between the side lot lines.

MONUMENT -- A marker which identifies street rights-of-way, street intersections, points of curvature along streets, lot boundaries and the exterior boundaries of a subdivision. Such a marker may be composed of concrete or an iron pin, pipe or rod. (See § 155-51.)

PLAT -- A map or plan of a tract or parcel of land which is to be or which has been subdivided. The word "plat" shall be synonymous with the words "map," "plan," "plot," "replat" or "replot" and, when used as a verb, to the word "subdivide."

PRELIMINARY PLAT -- The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted for preliminary approval.

PRIVATE ACCESS EASEMENT -- Any easement of right-of-way and principal means of access to any lot or parcel from a Class I, Class II or Class III road or from a public right-of-way and containing a minimum of 20 feet in width; or any such easement of right-of-way of record as of February 25, 1981, provided that there is adequate width for vehicular access.[Added 3-16-1982]

PROPERTY -- Any tract, lot, parcel or several of the same collected together for the purpose of subdividing.

RECORD PLAT -- The plat of the subdivision intended for recording in the office of the Clerk of the Circuit Court.

RESIDENT ENGINEER -- The resident engineer of the Virginia Department of Transportation assigned to Warren County, Virginia, or his designee.

RESUBDIVISION -- A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use or any lot line thereon or if it affects any map or plan legally recorded as a subdivision prior to the adoption of any regulations concerning subdivisions.

RIGHT-OF-WAY -- A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, drainage structures, shade trees or for another special use. The usage of the term "right-of-way" for land-platting purposes shall mean that every "right-of-way" hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such "right-of-way" and not included within the dimensions or areas of such lots or parcels. "Rights-of-way" intended for maintenance by a public agency shall be dedicated to public use by the maker of the plat on which each "right-of-way" is established.

ROAD, CLASS I -- Roads which are part of the state-maintained highway system.

ROAD, CLASS II -- Roads which meet the specifications for acceptance into the state-maintained highway system but which are not yet part of the state-maintained highway system.

ROAD, CLASS III -- Private roads on a fifty-foot right-of-way which are created after the date of passage of this chapter and constructed in accordance with this chapter.

STREET -- The principal means of access to any lot in a subdivision. The term "street" shall include road, lane, drive, place, avenue, highway, boulevard, right-of-way, court, terrace or any other thoroughfare for a similar purpose.

STREET OF RECORD -- Any street shown on any subdivision plat recorded in the office of the Clerk of The Circuit Court of Warren County, Virginia, whether such street is constructed or not.

STREET, SERVICE ROAD OR DRIVE -- A public right-of-way contiguous to a major highway primarily designed to promote safety by eliminating excessive and unnecessary ingress and egress to the right-of-way by providing safe and orderly points of access to the highway.

STREET, RIGHT-OF-WAY WIDTH -- The total width of the strip of land dedicated or reserved for public travel, including roadways, curbs, gutters, sidewalks and planting strips. None of this width shall be included in the dimensions or areas of lots adjoining the right-of-way.

SUBDIVIDER -- An individual, corporation or registered partnership owning any lot of land to be subdivided or a group of two or more persons owning any lot to be subdivided who have given their power of attorney to one of this group or to another individual to act on their behalf in planning, negotiating for, representing or executing the legal requirements of the subdivision regulations; the applicant.

SUBDIVISION -- The division of any parcel of land into two or more lots or parcels for the purpose of transfer of ownership or building development whether such transfer or development is immediate or future. The term "subdivision" includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

- (1) However, the term "subdivision" shall not include the following:
 - (a) The straightening or rearranging of property lines or the division of parcels for exchange between adjoining lot owners if the number of lots remains the same or decreases and the division is not in conflict with the general intent of this chapter. Such property line adjustments must contain the original parcel and/or have a common border with the original parcel. In order for such realignment of property lines not to be considered an act of "subdivision," only one boundary adjustment per parcel of record as of the effective date of this chapter (September 19, 1995) shall be allowed in any one-year period. [Amended 9-19-1995]
 - (b) [Amended 12-2-1991; 7-21-1998] A single division of a lot or parcel for the sale or gift to a member of the immediate family of the property owner. Only one such division shall be allowed per family member and shall not be for the purpose of circumventing this chapter. A member of the immediate family is defined as any person who is a natural or legally defined offspring, spouse, sibling, grandchild, parent or grandparent of the property owner; provided, however, that only one conveyance of land shall be permitted to each set of parents of each one of the individual property owners, and provided further that a maximum of two conveyances of land shall be permitted to a maximum of two different sets of parents where there is more than one individual property owner. No person who has previously received a conveyance of land as a grantee under § 15.1-466A.(k) or A.(k1), 15.1-466G or 15.1-466A.12 of the Code of Virginia or any local ordinance enacted pursuant thereto shall be eligible to be a grantee

of a lot or parcel created pursuant hereto. The Planning Director shall have the authority to certify that a family subdivision is exempt as evidence by his signature on the plat, provided that the following requirements are met:

- [1] All applicable requirements of Chapter 180, Zoning.
- [2] The property owner requesting such subdivision shall have held fee simple title to the property to be subdivided for a period of five years prior to the filing of the family subdivision application with the county.
- [3] The grantee is at least 12 years of age.
- [4] The lot may not be voluntarily transferred to a nonimmediate family member for at least five years after approval of the family subdivision plat, except under the following:
 - [a] A transfer of a shared interest may be subsequently or simultaneously made to the spouse of the grantee. This restriction shall be noted in the deed.
 - [b] Upon the granting of a variance in accordance with the provisions of § 155-18 of this chapter; provided, however, that § 155-18B(1), (2) and (5) need not be shown, and provided further that the property owner requesting the variance produces proof that because of the particular conditions pertaining to the property owner, which conditions have arisen since the property owner acquired the property to be conveyed, a particular hardship to the owner would result, as distinguished from a mere inconvenience.
- [5] Except as provided in Subsection B(1)(b)[4][a] and [b] above, if a family subdivision grantee conveys a lot or parcel received pursuant to an approved family subdivision within five years after the date of approval of the family subdivision, the grantee shall be presumed to have intended at the time of the approval of the family subdivision to circumvent this chapter of the Warren County Code. Such conveyance shall entitle the Director to take any reasonable actions necessary to ameliorate the effect of such circumvention, including, without limitation, recommending to the Board of Supervisors the adoption of an ordinance vacating said subdivision in whole or in part

as provided in § 15.1-482 of the Code of Virginia. A note to this effect must be placed conspicuously upon the family subdivision plat before it may be approved. This subsection shall not apply to a conveyance made to secure an obligation nor pursuant to the foreclosure of a lien, provided that the recordation of such lien against such lot or parcel occurs after the recordation required by Subsection B(1)(b)[4][a] above.

[6] No zoning permit or building permit shall be issued for any lot or parcel with respect to which any of the foregoing provisions of this subsection has been violated unless and until correction of such violation has been accomplished to the satisfaction of the Director. No zoning permit or building permit shall be issued for any lot or parcel created pursuant to a family subdivision plat unless evidence of the required recordations has been supplied to the Director.

[7] Upon satisfactory evidence of a conveyance as described in Subsection B(1)(b)[5] above or other action constituting a circumvention or violation of any provision of this Subsection B(1)(b), the Board of Supervisors may adopt an ordinance vacating in whole or in part any such family subdivision plat in accordance with § 15.1-482 of the Code of Virginia.

(c) The division of land solely for agricultural or forestal purposes and not for building or development. Such division shall not be for the purpose of circumventing this chapter.

(d) The division of land for dedication for widening or straightening the rights-of-ways for roads within or eligible for inclusion within the state highway system or the division of land for dedication for public utilities.

(e) A division of land which results in all lots, including residue, becoming 20 acres or more if the division does not involve any dedication of land to public use other than for the widening of an existing right-of-way and it conforms to the general meaning and purposes of this chapter. [Amended 3-20-2001]

(2) Any person proposing to divide land who contends that such division is exempted from the provisions of this chapter under Subsection (1)(a), (b) or (c) above shall submit to the Administrator a plat and/or other evidence satisfactory to the Administrator to enable him to determine if the proposed division is exempt. If, in the opinion of the Administrator, the

division is exempted, he shall so certify on the plat or deed of conveyance by which the property is to be divided. Except for divisions of land defined by Subsection (1)(d) or (e) above, no person shall record a plat or conveyance for a division of land without complying with the provisions of this chapter or without obtaining the Administrator's certificate of exemption.

SURVEYOR -- A surveyor licensed by the Commonwealth of Virginia.

§ 155-4. Recording of plats required.

From and after the effective date of this chapter, any owner or proprietor of any tract of land to which these regulations apply who subdivides such tract as provided in these regulations shall cause a plat of such subdivision to be prepared and approved in accordance with these regulations and to be recorded in the office of the Clerk of the Circuit Court of the county, wherein deeds conveying such land are required by law to be recorded. A copy of such plat shall also be filed in the office of the Commissioner of Revenue.

§ 155-5. Conditions on recording plats.

No subdivision plat shall be recorded as provided in § 155-4 until the following provisions are met:

- A. The subdivision plat shall have been submitted to and approved by the Planning Commission or Administrator as herein provided and be in full accordance with the regulations set forth in this chapter.
- B. A record plat shall become null and marked void if it is not submitted to the Clerk of the Circuit Court of Warren County for recordation within six months from the date evidencing final approval on said plat.

§ 155-6. Acceptance of dedication by county.

Approval and recordation of any final subdivision plat shall not be deemed acceptance by the county of any street, road or other public place or utility shown on the plat for maintenance, repair or operation thereof unless acceptance is expressly indicated on the final plat.

§ 155-7. Relationship of chapter to private easements and agreements.

This chapter bears no relation to any private easement or covenant, and the responsibility of enforcing such private easement, covenant, agreement or restriction is not implied herein to any public official. When this chapter calls for more restrictive standards than those required by private contract, the provisions of this chapter shall control.

§ 155-8. Effect of revisions on applications in process.

Any subdivision for which application, including payment of prescribed review fees, has been made prior to the adoption of these revisions and any subsequent revisions shall continue to be processed and, if approved, be governed by the provisions of this chapter as it existed prior to the adoption of these revisions.

§ 155-9. Fees.

- A. There shall be a fee for the examination and approval or disapproval of every subdivision or variance application by the county. Fees shall be payable to "Treasurer, Warren County" at such time the plats or applications are submitted, in the amount set by resolution of the Board of Supervisors.
- B. There is no fee charged for sketch plat review by the Administrator. Additional inspection fees may be charged in subdivisions containing Class III roads as specified in § 155-40. Such fees and charges shall in no instance exceed an amount commensurate with the services rendered and expense involved.

§ 155-10. Amendments.

This chapter may be amended in whole or in part by the Board of Supervisors, provided that such amendment shall either originate with or be submitted to the Planning Commission for recommendation; and further provided that the Planning Commission shall not recommend nor the Board of Supervisors adopt any amendment until notice of intention to do so has been published once a week for two successive weeks in some newspaper published or having general circulation in the county. Such notice shall specify the time and place of hearing at which persons affected may appear and present their views, not less than six days nor more than 21 days after the second advertisement shall appear in such newspaper. The Planning Commission and Board of Supervisors may hold a joint public hearing after public notice as set forth hereinabove. If such joint hearing is held, then public notice as set forth above need be given only by the Board of Supervisors. This section shall remain consistent with the enabling legislation in the Code of Virginia, as amended, and any future changes in the Code of Virginia shall effectively cause the same changes in this section.

§ 155-11. Violations and penalties.

- A. All departments, officials and public employees of Warren County vested with the duty or authority to issue permits or licenses shall conform to the provisions of the Subdivision Ordinance of Warren County and shall issue no such permit or license for uses, structures or purposes where the same would be in conflict with the provisions of this chapter, and any such permit or license, if issued in conflict with the provisions of said chapter, shall be null and void.

- B. It shall constitute a violation of said chapter for any person, firm, corporation, owner or agent to disobey, neglect or refuse to comply with or resist the enforcement of any of the provisions of said chapter.
- C. Any person who knowingly and intentionally makes any false statement relating to a material fact for the purpose of complying with the requirements of said chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished in accordance with the statutes of the Commonwealth of Virginia existing at the time for misdemeanor violations.
- D. Any person violating the provisions of this chapter shall be subject to a fine of not more than \$500 for each lot or parcel of land so subdivided or transferred or sold, and each day after the first during which such violation shall continue after reasonable notification that it shall cease may constitute a separate violation. 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 herein provided.
- E. The Board of Supervisors, Planning Commission or Administrator, in addition to other remedies, may institute any appropriate action or proceedings to prevent a violation or attempted violation of the chapter to restrain, correct or abate such violation or to prevent any act which would constitute such a violation.
- F. As to a general penalty, see Chapter 1, § 1-11, of the Code of Warren County.

§ 155-12. Vacation of plats.

Any plat of record may be vacated in accordance with the provisions of the Virginia Land Subdivision Act, Title 15. 1, Chapter 11, Article 7, §§ 15.1-481 and 15.1-482, Code of Virginia.

§ 155-13. Relationship to other laws.

Nothing in this chapter shall preclude the subdivider from complying with all other laws and regulations relating to the subdivision or sale of land. Where applicable, developers must also comply with the Condominium Act of the Commonwealth of Virginia found in Title 55, § 79.39, Code of Virginia, as amended, and the Subdivided Land Sales Act of the Commonwealth of Virginia found in the Code of Virginia, as amended, in Title 55, § 336, and any other appropriate laws or regulations.

**ARTICLE II,
Administration**

§ 155-14. Administrative authority.

- A. The Administrator and Planning Commission are given authority by the Board of Supervisors to administer such sections of this chapter as relate to their duties and are given authority to approve subdivisions as provided in this chapter. The Board of Supervisors retains the authority over those sections relating to their duties.
- B. Specifically, but not in limitation, the Administrator and the Planning Commission, as well as the Board of Supervisors, shall have the authority, in the name of Warren County, to invoke any legal measures necessary to prevent, restrain, correct or abate any violation or attempted violation of any of the provisions or regulations herein.

§ 155-15. Performance of duties.

The Administrator, Planning Commission and the Board of Supervisors shall perform their duties in regard to subdivision and subdividing in accordance with this chapter and the Virginia Land Subdivision and Development Act.

§ 155-16. Administrative rules and procedures.

In addition to the requirements herein contained for the platting of subdivisions, the Administrator, Commission or Board may establish such administrative rules and procedures as it deems necessary for the proper administration of this chapter.

§ 155-17. Determination of need for waiver.

Where phrases appear in this chapter related to waiving or applying certain requirements in cases involving unusual circumstances or site conditions, the determination of the need for such waiver or application of requirements shall be made by the approving authority.

§ 155-18. Variances. [Added 1-17-1984]

- A. The Board of Supervisors may reduce or otherwise vary the requirements of this chapter when strict adherence to the general regulations would result in substantial injustice or hardship. In granting such variances, the Board of Supervisors may attach and require such conditions as it deems to be necessary to secure the basic objectives of the varied regulations. The Board of Supervisors shall consider each case on its own merits and shall not grant variances to these regulations unless there is proof that substantial injustice or hardship, as defined below, exists.
- B. The subdivider shall be required to produce evidence justifying his contention that strict compliance with the requirements of this chapter would cause substantial injustice or hardship. "Substantial injustice or hardship" is defined as a situation meeting all of the criteria listed below:

- (1) That, because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience.
 - (2) That the conditions upon which the request is based are unique to the property for which the variance is sought and are not generally applicable to other property and have not been created by any person having an interest in the property.
 - (3) That the reason for the variance is not based exclusively upon a desire for financial gain or avoidance of a financial loss.
 - (4) That the granting of the variance will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the area in which the property is located.
 - (5) That the injustice or hardship is not self-inflicted, whether done deliberately or with clear negligence.
- C. No variance shall be authorized unless the Board of Supervisors finds that the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the chapter.
- D. The subdivider shall further be required to make written application to the Planning Commission requesting the variance and to submit evidence in justification of his request. The application shall be accompanied by a fee as specified in § 155-9.
- E. The Planning Commission shall review the request and shall forward a recommendation to the Board of Supervisors, which shall contain the reasons for which the variance should or should not be granted. Before acting on the request, the Commission may hold a public hearing after proper advertisement and notification of adjacent property owners pursuant to § 15.1-431, Code of Virginia, as amended.
- F. After receipt of the application and recommendation, the Board of Supervisors shall authorize advertisement of a public hearing and notification of adjacent property owners pursuant to § 15.1-431, Code of Virginia, as amended. After the public hearing or within the time limits prescribed in § 156-27, the Board of Supervisors shall vote to approve or disapprove the variance in whole or in part.
- G. Requirements for the timing of the review of the application for a variance, from the filing of the application to the final decision by the Board of Supervisors, shall be the same as prescribed in § 155-27.

§ 155-19. Recommendations from other departments, agencies or individuals.

In the performance of their duties, the Administrator, Planning Commission or Board of Supervisors may call for the recommendations, either verbal or written, from other departments of the county or state government or other agencies or individuals that the Administrator, Planning Commission or Board of Supervisors believe may be of service.

ARTICLE III, Plat Submittal and Review

§ 155-20. Approval and recording required.

Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof and before any permit for the erection of a structure in such proposed subdivision shall be granted, the applicant or his agent authorized in writing shall apply for and secure approval and endorsement of such proposed subdivision, and such subdivision shall be recorded in the office of the Clerk of the Circuit Court.

§ 155-21. Classes of subdivisions.

For the purposes of subdivision submittal requirements, subdivisions shall be divided into the following three classes:

- A. Class A: those subdivisions resulting in four or fewer lots being created, where their frontage is entirely upon existing streets in the state highway system, or meeting the standards for acceptance into such system, or qualifying for a private access easement and there is no dedication of land to public use other than the widening of an existing right-of-way and no required improvements and the parent tract has not been the subject of a previous subdivision of land within the last two years.
- B. Class B: those subdivisions resulting in five or more lots being created, where their frontage is entirely upon existing streets in the state highway system, or meeting the standards for acceptance into such system, and there is no dedication of land to public use other than the widening of an existing right-of-way and no required improvements; or subdivisions of less than five lots where the parent tract has been the subject of a previous subdivision of land within the last two years.
- C. Class C: those subdivisions resulting in lots with frontage upon a newly dedicated street designed to meet the standards for acceptance in the state highway system or with frontage upon a Class III road as defined by this chapter; or any subdivision resulting in any dedication of land for public use other than the widening of an existing right-of-way or common land for private covenanted use; or any subdivision with required improvements.

§ 155-22. Plat submittal requirements.

The three classes of subdivisions shall have the following plat submittal requirements:

A. Class A:

- (1) Sketch plat.
- (2) Final plat.

B. Class B:

- (1) Sketch plat.
- (2) Final plat.

C. Class C:

- (1) Sketch plat.
- (2) Preliminary plat.
- (3) Final plat.

§ 155-23. Required approvals.

The three classes of subdivisions shall be required to receive the following approvals from the county in the following manner:

A. Class A: sketch plat review by the Administrator and final plat approval by the Administrator.

B. Class B: sketch plat review by the Administrator and final plat approval by the Planning Commission.

C. Class C: sketch plat review by the Administrator, preliminary plat review by the Planning Commission and review and approval by the Board of Supervisors and final plat review and approval by the Planning Commission.

§ 155-24. Submission of sketch plat.

The applicant shall submit to the Administrator two copies of the sketch plat of the proposed subdivision prior to his preparation of the engineered preliminary and/or final plat. The purpose of such sketch plat is to permit the Administrator to advise the subdivider whether his plans, in general, are in accordance with the requirements of this chapter. The Administrator shall also apprise the subdivider of the plat submittal and other requirements pertaining to his subdivision. The Administrator may mark the sketch indicating necessary changes, and any such marked sketch shall be returned by the subdivider with the preliminary or final plat. The submittal of a sketch plat shall be considered as a submission for informal discussion between the applicant and the county.

§ 155-25. Sketch plat review.

The Administrator shall review such sketch plat and offer comments relating to county standards and requirements and provide suggestions for modifications or changes to be incorporated on the preliminary plat or final plat. The Administrator shall complete his review within 10 days and may, in the course of his review, seek the advice of the Planning Commission or other officials. Where necessary, and with written permission of the applicant, the Administrator may extend the review period beyond 10 days.

§ 155-26. Submission of preliminary plat.

- A. The applicant shall submit to the Administrator 13 copies of the preliminary plat containing all information required in § 155-34 of these regulations. All supporting information as required in § 155-35 shall also be submitted.
- B. The submission of a preliminary plat shall be considered an official submission of a plat for subdivision approval by the county.
- C. Before acting on the preliminary plat, either the Commission or the Board may hold a public hearing, or they may hold a joint public hearing with required public notice, as provided for in § 15.1-431, Code of Virginia, as amended.
- D. The applicant shall also contact the Department of Transportation to obtain design and construction standards, the Health Department regarding water and sewer system design standards and/or the State Water Control Board concerning public sewage system design standards.

§ 155-27. Preliminary plat review.

- A. Review by the Planning Commission.
 - (1) When a preliminary plat drawn in accordance with § 155-34 has been officially submitted, such plat shall be reviewed by the Planning Commission at its next regularly scheduled meeting, provided that such submission has occurred no less than seven calendar days prior to such meeting. If the submission is made less than seven days prior to the next scheduled meeting, the plat shall be held to the following meeting.
 - (2) During review of the preliminary plat, the Planning Commission shall seek the advice of the Health Department, the Department of Transportation and other officials or consultants as required before making its decision on the plat. Such review shall ensure that the preliminary plat is in accordance with the requirements of this chapter, the streets in the proposed subdivision are designed to fit into the existing street system and the subdivision does not endanger the health, safety or general welfare of the present and future residents of the county. All subdivisions shall be reviewed considering the policies of the County Comprehensive Plan and

the requirements and recommendations of all the plans and ordinances of the county.

- (3) If the Planning Commission recommends approval of the preliminary plat or the preliminary plat as modified, such plat shall be forwarded to the Board of Supervisors for its review with a recommendation for approval. The applicant shall also be notified of such action.
- (4) If the Planning Commission recommends disapproval of the preliminary plat, the preliminary plat shall be forwarded to the Board of Supervisors for its review with a recommendation for disapproval. The reasons for recommending disapproval shall be clearly specified and shall indicate sections of the chapter not complied with. The applicant shall also be notified of such action.
- (5) The Commission shall make its decision on the preliminary plat and forward it to the Board of Supervisors not later than 45 days after the preliminary plat is officially reviewed for the first time by the Commission at its meeting. Failure of the Planning Commission to render such a decision and communicate it to the applicant within the time required shall constitute a recommendation of approval of the preliminary plat by the Planning Commission.

B. Review by Board of Supervisors.

- (1) The preliminary plat shall be reviewed by the Board of Supervisors at the next scheduled meeting after being forwarded by the Planning Commission, provided that the Commission's recommendation is made no less than seven calendar days prior to the meeting of the Board of Supervisors.
- (2) The Board's review shall ensure that the preliminary plat is in accordance with the requirements of the chapter, the streets in the proposed subdivision are designed to fit into the existing street system and the subdivision does not endanger the health, safety or general welfare of the present and future residents of the county. All subdivisions shall be reviewed considering the policies of the County Comprehensive Plan and the requirements and recommendations of all the plans and ordinances of the county.
- (3) If the Board approves the preliminary plat or the preliminary plat as modified, notice shall be given to the applicant or his agent and to the highway resident engineer to such effect.

- (4) If the Board disapproves the preliminary plat, notice shall be given to the applicant or his agent, and the reasons for disapproval shall be clearly specified and shall indicate the section(s) of the chapter not complied with.
- (5) The Board of Supervisors shall communicate the result of its review of the preliminary plat to the applicant or his agent and the Planning Commission no later than 90 days after the plat was first officially reviewed by the Planning Commission.
- (6) One copy of the plat with all comments shall be maintained for the permanent records of the county, and one copy shall be given to the applicant or his agent.
- (7) Approval of the preliminary plat shall not constitute acceptance of a subdivision for recording and does not constitute a guaranty of approval of the final plat.
- (8) No property shall be transferred or offered for sale nor shall a permit to build be issued on the basis of an approved preliminary plat.

§ 155-28. Submission of plans and profiles.

- A. The following items shall, when necessary for Class C subdivisions, be submitted by the applicant to the Virginia Department of Transportation or any other agency deemed necessary by the Planning Commission to review said documents, after final approval of the preliminary plat and before submission of the final plat:
 - (1) Four copies of the complete construction plans and profiles, including storm sewer design computations and stormwater inlet computations.
 - (2) Four copies of the construction specifications and plans for structures such as pedestrian underpasses or overpasses, parking areas, drainage systems and/or structures or any special structures or systems the Planning Commission or Board of Supervisors may decide warrant individual engineering review.
 - (3) Four copies of the traffic control plan, including all signs, signals, street signs or other devices for traffic control.
 - (4) Any additional information required by the appropriate review agencies for approval shall also be submitted.
- B. One copy of all plans and profiles submitted to the appropriate agencies shall also be submitted to the Administrator.

- C. No final plat for a Class C subdivision shall be accepted for review by the Planning Commission until all the aforementioned items have been reviewed and approved by the appropriate authorities.

§ 155-29. Submission of final plat.

- A. In the case of Class A or Class B subdivisions, a final plat shall be prepared and officially submitted within six months after the sketch plat has been reviewed by the Administrator. In the case of Class C subdivisions, a final plat shall be prepared and officially submitted within six months of the date of the approval of the Board of Supervisors of the preliminary plat. However, an extension of time may be granted once for an additional six months by the Planning Commission for Class B and C subdivisions or by the Administrator for Class A subdivisions, upon written request. Final plats submitted after this expiration of time for which no time extension has been granted shall be considered as a new preliminary or sketch plat and subject to all the regulations in effect at the time of submission.
- B. The number of copies of the final plat to be submitted shall be three copies for Class A subdivisions and eight copies for Class B and Class C subdivisions. They shall be submitted by the applicant or his representative. Said plats shall include one Mylar or reproducible print. Plats shall fully comply with the requirements of § 155-36, and all required supporting data shall also be submitted.
- C. Before acting on a final plat in a Class B or Class C subdivision, the Planning Commission may arrange for a public hearing with notice as provided for in § 15.1-431, Code of Virginia, as amended.

§ 155-30. Final plat review.

- A. Class A subdivisions.
 - (1) When the final plat drawn in accordance with Article IV has been officially submitted, such plat shall be reviewed by the Administrator.
 - (2) The Administrator shall ensure that all requirements of this chapter and other county ordinances are met.
 - (3) If the review is favorable, the Administrator shall endorse the record plat and two other paper prints with "Reviewed and Approved by the Administrator," together with the date of such approval. The Administrator shall communicate his decision, whether approval or disapproval, to the applicant and Planning Commission and, if disapproved, shall outline the reasons and ordinance provisions relied upon for the disapproval.

- (4) The Administrator shall communicate his decision no later than 21 days after the plat was officially submitted to the Administrator to be approved. Should the Administrator require additional time to review the plat, he may, where necessary and with written permission of the applicant, extend the review period beyond 21 days, not to exceed 60 days. Should the Administrator not comply with this sixty-day limit, the applicant may take action in accordance with § 15.1-475, Code of Virginia, as amended.

B. Class B subdivisions.

- (1) When the final plat drawn in accordance with Article IV has been officially submitted, such plat shall be reviewed by the Planning Commission at its next regularly scheduled meeting, provided that such submission has occurred no less than seven calendar days prior to such meeting.
- (2) The Planning Commission shall ensure that all requirements of this chapter and other county ordinances are met.
- (3) If the review is favorable, the Planning Commission shall endorse the record plat and two other paper prints with "Reviewed and Approved by the Planning Commission," together with the date of such action and record such action in the minutes. The Planning Commission shall communicate its decision, whether approval or disapproval, to the applicant and the Board of Supervisors and, if disapproval, shall outline the reasons and ordinance provisions relied upon for the disapproval.
- (4) The Commission shall communicate its decision no later than 60 days after the plat was officially submitted to the Administrator, to be placed on the Planning Commission agenda for approval. Should the Planning Commission not comply with this limit, the applicant may take action in accordance with § 15.1-475, Code of Virginia, as amended.

C. Class C Subdivisions.

- (1) When a final plat drawn in accordance with Article IV has been officially submitted, such plat shall be reviewed by the Planning Commission at its next regularly scheduled meeting, provided that such submission has occurred no less than seven calendar days prior to such meeting.
- (2) The Planning Commission shall ensure that all requirements of this chapter and other county ordinances are met and that appropriate changes to the preliminary plat have been made, as required by the Planning Commission or Board of Supervisors.

- (3) If the review is favorable, the Planning Commission shall endorse the record plat and two other paper prints with "Reviewed and Approved by the Planning Commission," together with the date of such action and record such action in the minutes. The Planning Commission shall communicate its decision, whether approval or disapproval, to the applicant and the Board of Supervisors and, if disapproval, shall outline the reasons and ordinance provisions relied upon for the disapproval.
- (4) The Commission shall communicate its decision no later than 60 days after the plat was officially submitted to the Administrator to be placed on the Planning Commission agenda for approval. Should the Planning Commission not comply with this limit, the applicant may take action in accordance with § 15.1-475, Code of Virginia, as amended.

§ 155-31. Recording of final plat.

- A. After approval by the Planning Commission or Administrator as required and with all endorsements indicated on the record plat, the subdivider shall record his record plat in the office of the Clerk of the Circuit Court of Warren County, Virginia.
- B. Such plat shall be filed and recorded in the office of the Clerk of the Circuit Court where deeds are admitted to record for the lands contained in the plat and indexed in the general index to deeds under the names of the owners of lands signing such plat and under the name of the subdivision.
- C. Any plat not recorded within six months after final approval by the county shall be considered null and marked void.
- D. The recordation of such plat shall operate to transfer, in fee simple, to the county such portion of the premises platted as is on such plat set apart for streets, alleys or other public use and to transfer to the county any easement for the purpose of public passage indicated on such plat; but nothing contained in this section shall affect any right of a subdivider of land heretofore validly reserved. However, land used for Class III roads shall not be dedicated to the county. Where the authorized officials of the county approve a plat or replat of land in accordance with this chapter, then upon the recording of such plat or replat in the Clerk's office wherein land records are maintained, all rights-of-way, easements or other interest of the county in the land included on the plat or replat, except as shown thereon, shall be terminated and extinguished; except that an interest acquired by the county by condemnation or by purchase for valuable consideration and evidenced by a separate instrument of record of streets, alleys or easements subject to the provisions of § 15.1-481 or 15.1-482, Code of Virginia, as amended, shall not be affected thereby.

§ 155-32. Appeals.

- A. If the subdivider is aggrieved by a determination or disapproval by the Administrator in the administration of this chapter, he may appeal such action, in writing, to the Planning Commission within 60 days, which shall review the action taken, and if the Commission finds that the proposed subdivision meets the requirements of this chapter or that the determination of the Administrator is in conflict with this chapter, it may reverse such decision or determination.
- B. A determination or disapproval by the Planning Commission may be appealed to the Board of Supervisors in the same manner.
- C. If the Administrator, the Planning Commission or the Board of Supervisors disapproves a subdivision plat or makes a decision adverse to the subdivider and he contends that such disapproval or decision was not properly based on the ordinance requirements or was arbitrary and capricious, he may appeal such action to the Circuit Court within 60 days.

**ARTICLE IV,
Plat Details**

§ 155-33. Sketch plats.

- A. The sketch plat shall be clearly and legibly drawn on white paper or on a print of a topographic map of the property at a scale between one inch equals one foot and one inch equals 200 feet and shall contain the following information:
 - (1) The name of the property, the subdivision name or other identifying title.
 - (2) The name, address and telephone number of the legal owner or agent of the property.
 - (3) The name, location and dimensions of all existing streets, utility and drainage easements within the tract, adjacent to the tract and terminating at the tract.
 - (4) The location of all proposed streets, lots, parks, playgrounds and other proposed uses of land to be subdivided, and shall include the approximate dimensions and size.
 - (5) Boundaries and size of the total tract to be subdivided. Denote the location and approximate acreage of all remaining land in the original tract not included in the subdivision, including parcels containing 20 acres or more.
 - (6) North point, scale and date.
 - (7) A vicinity map showing relationship between the subdivision and surrounding area.

- (8) Significant topographical and physical features.
 - (9) Preliminary proposals for connection with existing water supply and sewerage disposal; preliminary provisions for collecting and discharging surface water drainage.
- B. The administrator may waive some of the above requirements for the sketch plat where it is felt they are not necessary due to the size and type of subdivision submitted.

§ 155-34. Preliminary plats.

- A. The preliminary plat shall be clearly and legibly drawn on white paper or on a topographic map of the property at a scale between one inch equals one foot and one inch equals 200 feet.
- B. The preliminary plat submission shall include at least the following applicable data, legibly drawn to scale, and showing approximate dimensions:
- (1) The date, including the month, day and year, of the original drawings and the date for any subsequent revisions.
 - (2) The North point and method of determination, scale and the name of the subdivision, which should not duplicate or resemble other names in the county.
 - (3) The name, address and telephone number of the recorded owner and applicant.
 - (4) The name and address of the registered engineer or surveyor responsible for the subdivision plat, surveys and design of improvements.
 - (5) The names of all owners of all land next to each boundary of the land being subdivided and the names of all subdivisions, if any, next to the project being considered, with the book and page number where each is recorded. If the property is adjacent to or includes any county or Front Royal boundary, it shall be indicated upon the plat.
 - (6) A vicinity map for the purpose of locating the property being subdivided at a scale of between one inch equals 250 feet and one inch equals 2,000 feet, and showing the relation of the property to nearby streets, towns, subdivisions and other known landmarks.

- (7) The boundary survey or existing survey of record of the property being subdivided, provided that such survey shows a closure with an accuracy of not less than one in 2,500.
- (8) Boundaries and total acreage of the total tract to be subdivided. Denote the location and approximate acreage of all remaining land in the original tract not included in the subdivision, including parcels containing 20 acres or more.
- (9) The zoning district or a proposed zoning district where property is located, including any zoning district boundary which goes through or touches the boundary.
- (10) A topographic map of the property using the same scale used for this plat and showing contour intervals of 20 feet or less showing all the area covered by the subdivision. The Planning Commission may require contour intervals of less than 20 feet or may allow contour intervals greater than 20 feet where appropriate to a particular subdivision.
- (11) The magisterial district(s) in which the subdivision is located.
- (12) All pertinent natural and historical features and landmarks.
- (13) If extensive changes of topography are contemplated, a plan showing the changes proposed.
- (14) All existing water and sewer lines, fire hydrants, utility transmission lines, buildings, whether habitable or not, culverts, bridges, quarries, strip mines, watercourses, significant tree masses, rock outcrops and other significant man-made or natural features within the proposed subdivision.
- (15) All existing streets, including streets of record, easements and rights-of-way, including right-of-way widths, pavement widths and approximate grades of such streets or rights-of-way on or abutting the tract.
- (16) Existing and proposed covenants running with the property, with their provisions outlined on the plat, if applicable.
- (17) Details of the proposed development, including:
 - (a) The location, width and names of all streets, easements and rights-of-way, with a statement of any conditions governing their use.
 - (b) All proposed lots, including the approximate dimensions and areas of each lot; total number of lots subdivided.

- (c) A statement of the intended use of all nonresidential lots.
- (d) The location and size of any areas proposed to be dedicated or reserved for public use with any conditions governing such use, dedication or reservation.
- (e) The one-hundred-year floodplain line, if applicable.
- (f) Proposed connections with existing sanitary sewers and existing water supply or alternate methods of sewage disposal and water supply.
- (g) Provisions for collecting and discharging surface drainage and preliminary designs of any structures that may be required, including pipe sizes, types, drainage easements and means of transporting the drainage to a well defined open stream which is considered natural drainage. This layout shall include the computed drainage area.

§ 155-35. Documents to accompany preliminary plats.

A. Documents to accompany preliminary plats are as follows:

- (1) Proposed methods for maintenance of all Class III roads, private sewers and/or water systems, including the method of forming a property owners' association or similar organization to assure that the county has no responsibility as to the maintenance and upkeep of said roads, sewers and/or water systems.
- (2) Proposed floodplain preservation plans if land being subdivided is located within the one-hundred-year floodplain.

B. If it is proposed to dedicate or reserve land (other than for streets) for public use or for the common use of the future property owners in the subdivision, the subdivider shall state the acreage involved in such dedication or reservation and the purpose of such land utilization.

§ 155-36. Final plats.

A. The final plat shall be prepared by a surveyor or engineer, duly licensed by the Commonwealth of Virginia, who shall endorse upon such plat a certificate signed by him setting forth the source of 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 plat within an inset block or by means of a dotted boundary line upon the plat. The surveyor or engineer shall also certify by endorsing the

final plat that all monuments required by this chapter and shown on the subdivision plat are in place or will be in place and that the plat, to the best of his knowledge, meets all the requirements of the county in respect to the platting of subdivisions.

- B. Every final plat shall contain, in addition to the professional engineer's or land surveyor's certificate, a statement as follows: "The platting or dedication of the following described land (here insert a correct description of the land subdivided) is with the free consent and in accordance with the desire of the undersigned owners, proprietors and trustees, if any." The statement shall be signed by such persons and duly acknowledged before an officer duly authorized to take acknowledgements of deeds.
- C. The final plat shall be substantially in accordance with the approved preliminary plat if required. A final plat may include all or any part of the area covered by the preliminary plat.
- D. The final plat shall contain all information required on a preliminary plat as set forth in § 155-34 except as respecified in this section and, in addition, shall contain the following:
 - (1) The final plat shall be legibly and accurately drawn in ink upon sheets 14 inches by 8 1/2 inches in size for recording purposes, including a margin of 1/2 inch outside ruled border lines.
 - (2) The plat shall be drawn at a scale of one inch equals not more than 100 feet for any subdivision. The Commission may, at its discretion, permit different suitable scales for plats of subdivisions involving large tracts or large individual lots.
 - (3) If the subdivision is shown on more than one sheet, the sheet number, total number of sheets and subdivision name shall be shown on each sheet, and match lines shall clearly indicate where the sheets join. Also, an overall plan of the subdivision shown on one sheet shall be submitted. This plan shall indicate on which sheets the sections of the subdivision are located.
 - (4) A boundary survey with an error of closure within the limits of one in 10,000 and showing all lots included in the subdivision (see § 155-62) and of all existing and proposed monuments and their type of material. Denote the location and approximate acreage of all remaining land in the original tract not included in the subdivision, including parcels containing 20 acres or more.
 - (5) The developer shall provide a benchmark within the tract of the proposed subdivision in all Class C subdivisions.

- (6) Accurate locations, dimensions and bearings of all lot and street lines and center lines of all streets, both within and adjoining the subdivision; names and widths of all streets.
- (7) Boundaries of all easements, school sites, parks or other public areas.
- (8) All dimensions shown in feet and decimals of a foot to the closest hundredth of a foot; and all bearings in degrees, minutes and seconds to the nearest 10 seconds.
- (9) The data for all curves shall be shown in detail at the curve or in a curve data table containing the following: radius, delta, arc, tangent, chord and chord bearing; bearings and distances of corners to the nearest recorded property corners or monuments.
- (10) If any land is being dedicated or reserved for streets, parking space or for public use or for the common use of the future property owners of the subdivision, the final plat shall so state and indicate which.
- (11) A topographic map of the property at a scale suitable to the Planning Commission may be required for a final plat if no preliminary plat is required and the Administrator or Planning Commission determines that a review of the topographic conditions of the property is necessary.

E. The final plat shall provide space and contain suitable lettering for evidencing:

- (1) The surveyor's or engineer's certificate as to title, monuments and compliance with this chapter as specified in Subsection A of this section.
- (2) All restrictive covenants or reference thereto.
- (3) The owner's certificate as specified in Subsection B of this section.
- (4) Approval of the State Health Department.
- (5) Approval of the State Department of Transportation if the plat contains roads intended for inclusion into the state highway system.
- (6) Approval of the Administrator or Planning Commission as specified in this chapter.

§ 155-37. Documents to accompany final plats.

- A. The final plat shall be accompanied by supplementary data where applicable as required for preliminary plats and all appropriate approvals from the State Health Department, Department of Transportation, the State Water Control Board and

any other agency as required. No final plat shall be approved by the county unless all proper approvals are submitted to the county. The standards in Article V shall be complied with.

- B. In subdivisions involving Class III roads and/or private sewers or water systems, all documents relative to maintenance of said roads and/or private sewers or water systems as specified in § 155-40 or 155-55 shall be submitted and copies of all approved documents shall be retained in the files of the Planning Commission.
- C. The final plat shall also be accompanied where applicable by an approved erosion and sediment control plan or evidence of such approval.

**ARTICLE V,
Design Standards and Specifications**

§ 155-38. General standards.

- A. The quality of design of a community is dependent on the quality of design of the individual subdivisions that are included within it. There is a mutual responsibility between the subdivider and the county to divide the land so as to ensure the best general use pattern of the land being subdivided and to avoid adverse impact on adjoining properties. The standards and requirements contained in this article are intended as the minimum for the promotion of the public health, safety and general welfare and shall be applied as such by the Planning Commission, Board of Supervisors and Administrator in reviewing all subdivision plats.
- B. Land subject to hazards of life, health or property, such as may arise from floods, unsuitable topography, poor drainage facilities, unstable or unsuitable soil conditions or other causes, shall not be subdivided for building purposes unless such hazards have been eliminated or unless the subdivision plat shall show adequate safeguards against them. Such safeguards shall be approved by the appropriate regulatory agencies.
- C. Subdivision plats shall give due recognition to the policies of the Comprehensive Plan and to other plans and ordinances of the county as may have been adopted.
- D. The size of lots and blocks and other areas for residential, commercial, industrial and public uses should be designed to provide adequate light, air, open space, landscaping and off-street parking and loading facilities.
- E. The arrangement of lots and blocks and the street system shall be designed to make the most advantageous use of topography and natural features. Tree masses and large individual trees shall, whenever possible, be preserved. The system of roadways and lot layout should be designed to take advantage of the visual qualities of the area.

§ 155-39. Streets.

- A. Street construction, except for Class III roads, shall be in accordance with the minimum design standards and specifications established by the Virginia Department of Transportation for subdivision streets to qualify for acceptance into the state secondary system of highways. Class III roads shall comply with the provisions of § 155-40.
- B. The arrangement of streets in new subdivisions shall make provision for the continuation of existing streets.
- C. The street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they subdivide their own land and seek to provide for convenient access to it. The Planning Commission or Board of Supervisors may require, where desirable to development of an adjoining property, that proposed streets be extended by dedication to the property line of such adjoining property.
- D. Half streets along the boundary of land proposed for subdivision shall not be permitted.
- E. When a subdivision abuts one side of any public street which is in the state highway system, the subdivider shall be required to dedicate 1/2 of the total right-of-way necessary to make said street conform to Virginia Department of Transportation or county criteria; in addition, the subdivider may be required to dedicate the full right-of-way necessary to make horizontal and vertical adjustments to said street.
- F. Local residential streets shall be designed so as not to offer direct routes to through traffic.
- G. Proposed streets which are obviously in alignment with other already existing and named streets shall bear the names of the existing streets. In no case shall the names of proposed streets duplicate existing street names in the county or Front Royal, irrespective of the use of the suffix street, boulevard, avenue, road, court, drive, way, place, lane, etc. Names of new streets shall be approved by the Planning Commission, and names of existing streets shall not be changed except by approval of the Board of Supervisors upon recommendation of the Planning Commission. EN
- H. Streets shall be so designed as to provide adequate drainage and drainage facilities and to have geometric design in compliance with the requirements of the Virginia Department of Transportation.
- I. Reserve strips controlling access to streets shall be prohibited except in cases of limited access roads.

- J. Where a subdivision contains or adjoins a major thoroughfare such as a road classified as a primary road in the state highway system, the Commission or Board may require, where practical, that access to such lots be limited to a street within the subdivision.
- K. A cul-de-sac shall not exceed 1,000 feet in length, measured from the entrance to the center of the turnaround, except where topographical or other site conditions necessitate a longer length. The cul-de-sac shall be provided with a turnaround having a radius of not less than 50 feet at the property line and not less than 40 feet at the curblin. The entrance of a cul-de-sac shall be interpreted as the point of most recent street intersection before the cul-de-sac. Drainage of cul-de-sac streets shall preferably be towards the open end. If drainage is toward the closed end, adequate provisions and easements shall be provided for discharging the drainage.
- L. Street jogs with center-line offsets of less than 225 feet shall be avoided.
- M. Street right-of-way widths and street sections shall be in accordance with the recommendation of the resident engineer. Additional right-of-way and pavement widths may be required by the Planning Commission or Board of Supervisors for the purpose of promoting public safety and convenience or to provide parking in commercial and industrial areas or in areas of high-density residential development.
- N. The right-of-way of any major highway or street projected across any railroad, limited access highway or expressway shall be of adequate width to provide for the cuts or fills required for any future separation of grades.
- O. Streets shall be laid out in such a manner as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 80°.

§ 155-39.1. Special requirements for developments for which average lot size is less than one acre. [Added 8-6-1990]

- A. Curb and gutter systems must be provided for and shall be designed in accordance with the Virginia Department of Transportation's revised subdivision street requirements, Tables I and I-A, and any other applicable state regulations. The appropriate standard for curb and gutter is prescribed in Table IV of the same document and shall be utilized.
- B. Curb-cut ramps shall be provided in accordance with Chapter 10 (§ 15.1-381) of Title 15.1 of the Code of Virginia and constructed in accordance with the Virginia Department of Transportation's Standard CG-12.

- C. Underground utilities must be installed to serve all lots as shown on the subdivision plat. Such utilities shall include, but not be limited to, electric, telephone and cable television service. The location of all lines and facilities shall be subject to the approval of Warren County and any related utilities provider. Except where street crossings are required or where otherwise approved by Warren County, underground utilities shall not be located beneath structures, street pavement or other dedicated improvements and shall be located 10 feet from the curblines of the platted road.

§ 155-40. Class III roads.

- A. Purpose. The purpose of a Class III road is to provide a vehicular access which is designed to the State Transportation Department's geometric standards (width, grade, curvature, etc.) but is not required to comply with State Transportation Department's standards for subbase, base and surface. The design requirements contained in this section will facilitate the conversion of a Class III road to a state standard road should the property owners' association desire to make the necessary improvements to bring the road up to state standards. The surface requirements contained in this section are intended to provide only a minimum, temporary surface which may be maintained and/or improved by the developer or property owners' association as either deems appropriate.

- B. General provisions.

- (1) No subdivision shall be approved which includes a Class III road unless all lots to be served by any such Class III road are 10 acres or larger in size.
- (2) The subdivider shall be responsible for reimbursing the county for those costs which the county incurs in ensuring that the construction and design standards of this section are complied with.

- C. Construction and design standards. Class III roads shall comply with the requirements contained in § 155-39B through 0 and shall be designed and constructed in accordance with the minimum design standards and specifications of the Virginia Department of Transportation for subdivision streets to qualify for acceptance into the state secondary system of highways, except for the following:

- (1) Class III roads shall have a minimum fifty-foot right-of-way.
- (2) Class III roads are not required to meet Virginia Department of Transportation standards concerning subbase, base and surface.
- (3) Class III roads shall be constructed to meet the minimum standard of a finished, stabilized road surface of four inches of stone, compacted as necessary, applied in such a manner as to provide adequate vehicular

travel. Stone shall cover a width equal to the distance required for pavement width in Virginia Department of Transportation standards. The Board of Supervisors, upon receiving a recommendation from the Planning Commission, may approve alternative surface specifications if judged by the Board to be equivalent to this requirement. Any request to allow for an alternative surface shall be accompanied by technical data and/or information to substantiate its equivalency.

D. Maintenance.

- (1) In all subdivisions involving Class III roads, the applicant must submit assurances, such as a covenant agreement, satisfactory to the Planning Commission and the County Attorney that a property owners' community association or similar organization has been legally established under which the lots within the area of the final plat will be assessed for the cost of maintaining private streets and that such assessments shall constitute a pro-rata lien upon the individual lots shown on the final plat.
- (2) Every final plat deed of declaration and deed of a division of land involving a Class III road shall contain a statement by the subdivider which clearly states that all Class III roads within that division of land are not publicly maintained and shall be collectively maintained by the owners of all lots which are served by the Class III roads. This notation shall also state that all Class III roads will not be taken into the Virginia Department of Transportation (VDOT) highway system unless, prior to such a request, they are brought into compliance with the applicable subdivision street requirements of VDOT in effect at that time without the use of funds administered by VDOT or the County of Warren. [Amended 12-18-1989]
- (3) Each deed of conveyance for a lot included in a subdivision served by a Class III road shall include the following restrictions:
 - (a) The Class III road is not publicly maintained and shall be maintained by all the owners of lots which are provided access by way of said Class III road.
 - (b) No request will be made to have the lot herein conveyed served by a public street unless and until the private street serving said lot has been dedicated and constructed at the then current Virginia Department of Transportation standards for streets and at no cost to the county or the Virginia Department of Transportation.
 - (c) The grantee is required to belong to a property owners' association that is responsible for the maintenance of the private streets within the subdivision and is liable for payment of an annual assessment for the upkeep and maintenance of said private streets.

§ 155-41. Alleys.

Alleys should be avoided wherever possible. Wherever permitted, they shall not be less than 20 feet in width nor more than 28 feet in width. Dead-end alleys shall be provided with adequate turnaround facilities as determined by the Planning Commission.

§ 155-42. Lot access.

Each lot shall abut on and have direct access to a street meeting the requirements of this chapter dedicated by the subdivision plat; or on an existing street in the state road system; or on an existing street eligible for inclusion in the state road system; or on an existing Class III road meeting the requirements of this chapter, except that any parcel of record as of February 25, 1981, may be divided into no more than two lots which are to be served solely by a private access easement, provided that at least one parcel of the subdivision contains five acres or more.

§ 155-42.1. Required access for subdivision developments. [Added 8-6-1990]

Accesses for developments must meet the following ratio of proposed dwelling units to number of accesses. Such an access shall be defined as the ingress/egress of a proposed subdivision development road from a road which has been previously accepted into the Virginia highway system and which complies with the recommendations and requirements of the District Virginia Department of Transportation office to accommodate adequate traffic flow. The number of dwelling units considered for this ratio shall be defined as those units which are to be served solely by the proposed subdivision development road and which do not have direct access onto a road previously accepted into the Virginia Highway System.

Number of Dwelling Units	Number of Required Accesses
1 to 49	1
50 to 199	2
200 to 499	3
500 and over	4

§ 155-43. Lot design.

- A. 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. In the case of lots for commercial, industrial or nonresidential use, the lot area, width, shape, depth and location shall be adequate to provide for the on-site service facilities required by the type of use and development contemplated.

- B. Lots shall not contain peculiarly shaped elongations or other odd configurations which do not conform to a standard square, rectangular or trapezoidal design in order to provide required square footage of area, minimum lot width at the building line or required highway access. [Amended 9-19-1988]
- C. Side lot lines shall be approximately at right angles or radial to the street line wherever possible.
- D. Corner lots shall have sufficient width measured from both streets to permit reasonable use of the lot without creating a safety hazard.
- E. Double frontage lots shall be avoided except where essential to provide separation of residential development from major traffic arteries or to overcome specific disadvantages of topography and orientation.
- F. All remnants of lots below minimum lot size left over after subdividing a tract must be added to adjacent lots or otherwise disposed of rather than allowed to remain as unusable parcels. All lots which are found unsuitable for drainfield installations by the Health Department shall be combined with lots which have been approved for drainfields by the Health Department unless public or private sewer lines are proposed to serve the development in the near future.
- G. Lots shall be configured in such a way that the average length, measured from the front to the rear property lines, shall not exceed four times the average lot width. [Added 9-19-1988]

155-44. Lot size.

- A. Lots served by both public water and public sewer systems shall be 80 feet or more in width at the building setback line and 1/4 acre or more in area.
- B. Lots served by public sewer but not public water shall be 100 feet or more in width at the building setback line and 1/2 acre or more in area.
- C. Lots served by public water but not public sewer or lots served by neither public water nor sewer shall be 150 feet in width at the building setback line and one acre or more in area.
- D. The lot width may be reduced to no less than 75% of the otherwise required lot width at the building setback line wherever a lot is located on a cul-de-sac or on a curved street with a radius not exceeding 90 feet or where unusual circumstances exist.
- E. The density of residential developments shall comply with the Warren County Zoning Ordinance.EN

§ 155-45. Health Department approval. [Amended 9-19-1995]

- A. The Administrator, Commission or Board shall not approve a subdivision where sanitary sewers are not provided unless approval is granted by the Health Department on lot-by-lot basis stating that the proposed subdivision lots have satisfactory sites for the individual sewage disposal systems. A complete sewage disposal system will be required to be contained within the boundary of each lot in the following zoning districts: Residential 1 (R-1), Residential 2 (R-2), Suburban Residential (SR), Village Residential (VR), Commercial (C) and Industrial (I). This section shall not apply to alternative sewage disposal systems approved by the Health Department which are located in accordance with Health Department requirements.

- B. When Health Department approval cannot be obtained for a septic system to be located completely within the boundary of a lot in the Agricultural Zoning District, a drainfield will be allowed on adjacent property. In order to obtain a drainfield located on an adjacent property, the drainfield must meet the following criteria:
 - (1) Health Department approval shall be obtained for the drainfield on the adjacent property.
 - (2) The drainfield must be located on adjacent/contiguous property no more than 300 feet from the property line.
 - (3) No part of such systems shall transverse any state or county right-of-way.
 - (4) A properly recorded easement in perpetuity showing such system must be obtained and included in the deeds of all properties involved.

- C. In any instance where individual sewage disposal systems are proposed, greater lot areas shall be required in accordance with Health Department recommendations if the Health Department determines that there are factors of drainage, soil conditions or other factors to cause potential health problems.

- D. Notwithstanding Subsection A above, the Administrator, Commission or Board may permit the subdivision of land which is not intended to be used for building or occupancy without the Health Department granting an approval for an individual sewage disposal system. Such approval shall only be given where unusual conditions exist requiring such a division of land and where it is shown that such division shall not be detrimental to the general welfare of surrounding property owners and other residents of the county. Any plat with lots approved under this section shall contain restrictions as to the uses allowed on the lots suitable to the Administrator, Commission or Board. Such restrictions shall also be placed by the subdivider in any deed of transfer for a lot approved under this section. Such restrictions shall run with the land until a valid Health Department

approval is received for an individual sewage disposal system or a sanitary sewer is extended to serve the property.

§ 155-46. Blocks.

- A. The maximum length of blocks shall be 1,200 feet except where topographical or other site conditions necessitate a longer length.
- B. Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets as provided for in § 155-39J, unless prevented by topographical conditions or the size of the property.
- C. Blocks intended for business or industrial use shall be designed specifically for such purpose with adequate space set aside for off-street parking and delivery facilities.

§ 155-47. Drainage.

- A. All streets shall be so designed as to provide for the adequate discharge of surface water from their rights-of-way.
- B. Storm sewers and related installations, such as culverts, curbs, catch basins and gutters, shall be required only when the runoff of water cannot be satisfactorily handled within the street pavement and right-of-way.
- C. If storm sewers are required and existing storm sewers are reasonably accessible, the proposed subdivision shall be required to connect with said storm sewers.
- D. In the design of required storm drainage facilities, problems shall be avoided which may arise from the concentration of stormwater runoff onto adjacent developed or undeveloped properties or the collection of water at low points in the subdivision and along streets.
- E. Where required, storm drainage facilities should be designed not only to handle the anticipated peak discharge from the property being subdivided but also the anticipated increase in runoff that will occur when all the property at a higher elevation in the watershed is fully developed.
- F. Existing watercourses shall enter and exit the subdivision as nearly as possible to the manner that existed prior to construction within the subdivision. Runoff water originating in the subdivision shall be drained to an adequate outlet.
- G. Where a subdivision is traversed by a stream or other natural drainageway, the Commission or Board may require the subdivider to dedicate a suitable drainage easement conforming substantially with the line of such watercourse. Such

easement shall be of adequate width to preserve the natural flow and to allow for future widening or other improvements to such drainageway.

§ 155-48. Utility easements.

- A. Easements for water lines, sewer lines, power lines, drainage, pedestrian rights-of-way and other utilities shall be provided and delineated on the record plat in the location and to the width designated by the Commission or Board and in no case shall be less than 10 feet in width.
- B. Wherever practical, utility easements shall be centered on or be adjacent to rear or side lot lines.
- C. All utility easements shall be in accordance with the requirements and specifications of the appropriate utility company.

§ 155-49. Public lands.

- A. Where a proposed park, playground, school, public safety facility or other public facility or public use shown on the Warren County Comprehensive Plan is located in whole or part in a subdivision, the Board may require the reservation of such areas within the subdivision. Where the Board has required the reservation of land for public use, the county shall have two years from the date of final approval of the plat in which to purchase or reject the land so reserved.
- B. Where large-scale residential development occurs necessitating additional community facilities not shown in the Warren County Comprehensive Plan, the Board may require the reservation of sites meeting the requirements for schools, parks and other public facilities as it feels may be appropriate based on the particular development proposed. Such reservation shall not be more than 5% of the total land area of the development. Any site so reserved shall be purchased or rejected by the county within two years of the date of final approval of the plat.
- C. The amount of the reimbursement from the county for such reserved land shall equal the cost of the virgin land before development and the cost of improvements to said land, plus interest. The amount of reimbursement to be made shall be determined at the time of the final plat approval.
- D. If reserved land is not purchased within a period of time of the reservation, it may be sold as lots for the same purposes for which the subdivision was platted. To facilitate such possible eventual sale of reserved land as separate lots, the subdivider shall show on his final plat, by dotted lines, the sizes and dimensions of lots to be created within the boundaries of any such reserved land and may sell such lots after the expiration date of the reservation, by lot number, without filing an amended plat.

**ARTICLE VI,
Improvements and Bonds**

§ 155-50. Required improvements, plans and specifications.

- A. The county shall require that the subdivider make improvements provided herein for record plat approval. Said improvements shall be installed at the cost of the subdivider and in compliance with the requirements of any or all plans and plats approved by the Administrator, Planning Commission or Board of Supervisors as specified in this chapter or the Virginia Department of Transportation, Health Department or any other applicable state or local agency.
- B. No subdivider shall commence the construction of any such improvements without first submitting plans and specifications and obtaining the written approval of the Virginia Department of Transportation, Health Department or any other applicable state or local agency.

§ 155-51. Monuments.

- A. Identifying monuments shall be placed on the right-of-way line at all street intersections, at all points where the street line intersects the exterior boundaries of the subdivision, at all points of curvature in each street and at all lot corners and subdivision boundaries. Monuments shall be composed of reinforced concrete, iron pins, pipes or rods.
- B. All concrete monuments shall be composed of reinforced concrete, four inches in diameter or square, three feet long, with a flat top, and shall have no more than four inches nor less than one inch above finished grade.
- C. All monuments composed of iron pins, pipes or rods shall be not less than 5/8 inch in diameter and 24 inches long and be driven so as to be flush with the finished grade. When rock is encountered, a hole four inches deep in the rock shall be drilled and a steel rod 1/2 inch in diameter cemented in place whose top shall be flush with the finished grade line.
- D. Upon completion of subdivision streets, sewers and other improvements, the subdivider shall make certain that all monuments required by this section and the Virginia Department of Transportation regulations are clearly visible for inspection and use. Such monuments shall be inspected by the appropriate county official before any improvements are accepted by the county. The Planning Commission may require a spot check of plat accuracy based on monument placement before recordation.

§ 155-52. Street improvements.

The subdivider shall lay out, grade, construct and otherwise improve all streets, including Class III roads, that are designated on the approved plat or that directly serve the subdivision in accordance with the specifications approved by the Planning Commission and in accordance with the Virginia Department of Transportation specifications.

§ 155-53. Street name signs.EN

The subdivider shall install, at his cost, street signs showing the names of all streets at all intersections within the subdivision. The signs shall conform to Virginia Department of Transportation specifications.

§ 155-54. Drainage.

When required by the Planning Commission or Board of Supervisors, drainage systems shall be provided by means of culverts, ditches, catch basins, curbs and gutters and any other facilities that are necessary to provide adequate drainage and disposal of surface and storm waters from or across all streets and adjoining properties.

§ 155-55. Flood protection.

- A. Where subdivisions contain areas within the floodplain, the subdivider shall provide all necessary information and plans needed to determine what improvements are necessary to properly develop the subject property, including contour intervals, drainage plans and flood abatement devices to protect the property from damage due to flood. The subdivider shall provide a certified engineer's statement that such improvements, when properly installed, will be adequate for proper development. The subdivider shall also provide any other information required by the Planning Commission, Board of Supervisors or Commonwealth of Virginia highway engineer.
- B. All new or replacement sanitary sewer facilities, private package sewage treatment plants (including all pumping stations and collecting systems) and water facilities located within a floodplain shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into the floodwaters. In addition, they shall be located and constructed to minimize or eliminate flood damage and impairment.
- C. All utilities such as gas lines and electrical and telephone systems located within a floodplain shall be elevated where possible and constructed to minimize the chance of impairment during flooding.
- D. Streets and sidewalks should be designed to minimize their potential for increasing and aggravating the levels of flood flow. Drainage openings shall be required to sufficiently discharge flood flows without unduly increasing flood heights.

§ 155-56. Extension of public sewer and water service.

Where public sewer or water service exists within 500 feet of the proposed subdivision boundaries, the Board of Supervisors may require that it be extended to serve all lots within the subdivision unless such extension is unfeasible due to grade, topography or that the existing services are not adequate to serve the proposed subdivision. The cost of extending and installing all such sewer and water lines shall be the sole responsibility of the subdivider.

§ 155-57. Private sewer and water systems.

- A. Nothing in this chapter shall prevent the installation of privately owned water distribution systems or sewage collection and treatment facilities; provided, however, that any such installations must meet all the requirements of the State Water Control Board, State Health Department and any other federal, state or local regulation having authority over such installation.
- B. In any subdivisions involving a private sewer and/or water system, the applicant must submit assurances satisfactory to the Planning Commission and the County Attorney that a property owners' community association or similar association has been legally established under which the lots within the area of the final plat will be assessed for the cost of maintaining and operating the private sewer and/or water system and that such assessments shall constitute a pro rata lien upon the individual lots shown on the final plat.
- C. Every final plat of a division of land involving lots served by a private sewer or water system shall contain a statement by the subdivider which clearly states that all private sewer and/or water systems within the subdivision are not publicly maintained and/or operated and shall be collectively maintained and/or operated by the owners of all lots which are served by said private sewer and/or water systems.
- D. Each deed of conveyance for a lot included in a subdivision served by a private sewer and/or water system shall include the following restrictions:
 - (1) The private sewer and/or water system is not publicly maintained and instead shall be maintained by all the owners of lots which are served by the private sewer and/or water system.
 - (2) The grantee is required to belong to a property owners' association responsible for the maintenance and/or operation of the private sewer and/or water system within the subdivision and is liable for payment of an annual assessment for the maintenance and operation of said private sewer and/or water system.

§ 155-58. Performance bonds and guaranties.

- A. All physical improvements, including private sewer systems, private water systems and Class III roads, required by the provisions of this chapter or as a contingency to approval of the final plat for the subdivision as platted shall be installed therein and thereon at the expense of the subdivider.
- B. After approval of the preliminary plat and prior to consideration of the final plat by the Planning Commission, the subdivider may complete all required physical improvements, or, pending completion of the improvements, the subdivider shall execute and file with the Administrator an agreement and bond (or agreements and bonds) in an amount calculated and submitted by a certified engineer and approved by the Board of Supervisors to be equal to the approximate total cost of such improvements, with surety approved by the Board of Supervisors and the County Attorney, guaranteeing that the required improvements will be properly and satisfactorily installed within one year of the date of final plat approval. Said bond shall be payable to the county and held by the Administrator.
- C. However, in lieu of such bond, the subdivider may place with the county a certified check, a deposit in escrow or a bank or savings and loan association's letter of credit on certain designated funds upon the same conditions as above if such security is approved by the Board of Supervisors and the County Attorney.
- D. Failure to complete all required improvements to the satisfaction of the county within the one-year time period specified shall mean forfeiture of the bond or other security by the subdivider to the county for completion of the required improvements. An extension of the one-year time completion period may be granted once by the Board when a request by the subdivider is received, in writing, stating the reasons the original time period has not been complied with and stipulating a new estimated time period when the improvements shall be completed, which shall not exceed one year. The Board may require that the amount of bond be revised and/or the bond renewed prior to authorizing such extension. This extension shall only be granted by the Board when no adverse effect to the public health, safety, welfare or convenience will be suffered.
- E. No final plat shall be approved unless and until such bond or security has been received and approved as in this section or all the required improvements are completed.
- F. The Board of Supervisors shall release, either partially or fully, any bond, escrow, letter of credit or other performance guaranty required by the county under this section within 30 days after receipt of written notice by the subdivider or developer of completion of part or all of any facilities required to be constructed hereunder unless the Board notifies said subdivider or developer, in writing, of any specified defects or deficiencies in construction and suggested corrective measures prior to the expiration of said thirty-day period; provided, however, that

the Board shall not be required to release such bond, escrow, letter of credit or other performance guaranty in an amount to exceed 90% of the actual cost of the construction for which the bond was taken until such facilities have been completed and accepted by the Board or state agency. For the purposes of this subsection, a certificate of partial or final completion of such facilities from a duly licensed engineer or from an appropriate governmental agency may be accepted without requiring further inspection of such facilities.

§ 155-59. Availability on project of approved plans and specifications.

The subdivider and/or contractor shall have available on the project, at all times, a clearly readable copy of all approved plans and specifications and shall cooperate in every way possible with any inspector or representative of the county or state.

**ARTICLE VII,
Special Regulations**

§ 155-60. Environmental inventory and impact statement.

- A. An environmental inventory and impact statement shall be required for all Class C subdivisions which contain 100 lots or more (including all sections if the subdivision is proposed to be developed in sections), and shall be submitted at the preliminary plat stage. In reviewing the proposed subdivision, the Planning Commission or Board of Supervisors may waive the requirements of this section, in whole or in part, where it is determined that such requirements are not necessary because of the proposed use, size, density, location or site conditions and information provided by the preliminary plat.
- B. The environmental inventory and impact statement shall be prepared by a certified engineer or other person qualified to perform such work. All costs for the preparation of the inventory and impact statement shall be borne by the subdivider.
- C. The environmental inventory and impact statement shall include the following information:
 - (1) Inventory: existing characteristics and conditions of the environment, including but not limited to the following:
 - (a) Earth (mineral resources, soils, topography, geology, unique physical features).
 - (b) Water (surface, underground, springs).
 - (c) Atmosphere (quality as to gases and particulates).

- (d) Natural processes (floods, erosion, precipitation, air movements).
 - (e) Flora (trees, shrubs, grass, crops, aquatic plants, endangered species).
 - (f) Fauna (birds, land animals including big game, small mammals and reptiles, fish, insects, endangered species).
 - (g) Land use (wilderness and open spaces, wildlife habitat, wetlands, forestry, grazing, agriculture, residential, commercial, industrial, mining and quarrying).
 - (h) Recreation (hunting, fishing, boating, swimming, camping, and hiking, picnicking, resorts).
 - (i) Aesthetics and human interest (scenic views and vistas, wilderness qualities, open space qualities, unique physical features, monuments, historical or archaeological sites and objects).
 - (j) Cultural status (cultural patterns and life-styles, health and safety, employment, population density).
 - (k) Man-made facilities and activities (structures, transportation facilities, including movement and access, utility network, waste disposal).
- (2) Impact: impact upon the area by the proposed subdivision, including but not limited to the following:
- (a) Modification of natural environment (introduction of exotic flora and fauna, modification of wildlife habitat, alteration of ground cover, alteration of groundwater hydrology, alteration of drainage, river and stream control and flow modification, canalization and irrigation).
 - (b) Land transformation and construction (urbanization, residential and vacation homes, industrial sites, commercial sites, airports, highways and bridges, roads and trails, railroads, transmission lines, pipelines, channel dredging and straightening, channel filling, canals, dams and impoundments, recreational structures, blasting and drilling, cut and fill, tunnels and underground structures).
 - (c) Resource extraction (blasting and drilling, surface excavation, subsurface excavation, well drilling and fluid removal, dredging,

clear cutting and other lumbering, commercial fishing and hunting).

- (d) Processing (farming, ranching and grazing, feedlots, dairying, energy generation, mineral processing, metallurgical industry, chemical industry, textile industry, oil refining, lumbering).
- (e) Land alteration (erosion control and terracing, mine sealing and waste control, strip mining rehabilitation, landscaping, marsh fill and drainage).
- (f) Resource renewal (reforestation, wildlife stocking and management, groundwater recharge, fertilization application, waste recycling).
- (g) Changes in traffic (railway, automobile, trucking, shipping, aircraft, river and canal traffic, pleasure boating, trails).
- (h) Waste storage and treatment (landfill, underground storage, junk disposal, liquid effluent discharge, stabilization and oxidation ponds, septic tanks, stack and exhaust emission).
- (i) Chemical treatment (fertilization, chemical deicing of highways, chemical stabilization of soil, weed control, insect control with pesticides).
- (j) Accidents (explosions, spills and leaks, construction accidents).

§ 155-61. Indication of anticipated additional subdivision.

- A. In order to coordinate a proposed subdivision with any intended future subdivision of the same original tract of land, the subdivider shall indicate on the sketch plat and preliminary plat (if required) any additional anticipated future subdivisions of the original tract. This is required so as to insure that the necessary road, drainage, sewer, water and other such improvements are provided for the entire tract of land to be eventually subdivided.
- B. Failure to indicate such anticipated additional subdivision of a tract of land shall authorize the Administrator or Planning Commission to deny final plat approval of such additional subdivision for a period not to exceed two years after approval of the original subdivision of the tract.

§ 155-62. Survey exemption.

- A. The subdivider shall only be required to survey the lot or lots to be conveyed or developed (whether such conveyance or development is immediate or future), and the remainder of the original parcel if such remainder is less than 10 acres in size.
- B. The subdivider shall show by an appropriate sketch on the plat the approximate boundary and remaining acreage of any land not surveyed under this exemption.
- C. All lots, including any which are not surveyed, shall meet all other applicable requirements of this chapter and of the Zoning Ordinance of Warren County,EN except that lots not required to be surveyed under this section and not, in fact, surveyed shall not be required to comply with the dedication of right-of-way provisions contained in § 155-39E. [Amended 9-21-1982]
- D. The purpose and intent of this section is to allow a person subdividing land to avoid the expense of surveying a large parcel which he plans to retain for his own use and has no intention of conveying to others. Such exemption shall not be used for the purpose of circumventing the purpose and intent of this section.