

Article III – Preliminary Plat and Improvements Plan Requirements.

CHAPTER 54 – SUBDIVISION ORDINANCE

Sec. 54-28. – When Required.

A preliminary plat and related improvements plan shall be required for any subdivision which simultaneously or via phasing creates 51 or more lots. A preliminary plat may be submitted for any subdivision of 50 or fewer lots at the option of the subdivider.

Sec. 54-29. – Form and Preparation.

The plat and plan shall be prepared by a professional surveyor or engineer licensed by the Commonwealth of Virginia, and shall be compiled as a single document, consisting of black or blue lines on white paper with a maximum overall size of twenty-four inches by thirty-six inches (24"x36"). The document shall be consistent with the quality and formatting requirements set forth in the Library of Virginia Records Management Standards for Plats.

Sec. 54-30. – Preliminary Plat and Improvements Plan Information.

A preliminary plat and improvement plan shall show:

- a. General plat information, including, but not limited to:
 1. A title block denoting the name of the proposed subdivision, tax parcel number(s) and source(s) of title for the property to be divided, and original

- date of plat/plan preparation;
 2. The name and address of the owner/subdivider;
 3. The name, signature, license number, seal, business address, and contact information for the surveyor or engineer involved in plat/plan preparation;
 4. A graphic scale, date, and north arrow (on every page);
 5. An area to list revisions and dates;
 6. A vicinity map showing the subject property and its relationship to surrounding roads, area names and landmarks, jurisdictional boundaries, etc. at a scale sufficient to determine the location within the County;
 7. Tax parcel numbers, owners, and sources of title for all adjacent lots;
 8. Acknowledgement of any proffers affecting the property pursuant to any approved conditional zoning;
 9. Signature blocks for "Orange County Subdivision Agent," "Orange County Erosion & Sediment Control Program Administrator," "Virginia Department of Transportation," "Rapidan Service Authority" (or other public utility provider; as applicable), and "Virginia Department of Health" (as applicable);
- b. Existing conditions, including, but not limited to:
1. Boundary lines of the lot(s) to be divided with all bearings and distances labeled according to a current field boundary survey;
 2. Total acreage of lot(s) to be subdivided;
 3. The zoning district of the subject lots and, in the case of multiple zoning districts, the location where the districts split;
 4. Jurisdictional boundaries (i.e. town limits and County lines);

5. The location, roadway width, right-of-way and/or easement width, right-of-way and/or easement source of title, and name (and route number if applicable) of existing roads;
6. The location of any existing structures, wells, or septic drainfields on or within fifty (50) feet of the property;
7. Known easements, including any easement(s) shown on a plat recorded in the Orange County Circuit Court, along with their respective deed book and page numbers (or instrument numbers) and owners of record;
8. The location of existing entrances in to the property from adjacent state roads;
9. The approximate location and extent of any 100-year floodplain as identified on current FEMA FIRM maps;
10. The location and extent of any mapped dam break inundation zones;
11. The identification and field delineation of any existing wetlands in accordance with the current US Army Corps of Engineers Wetlands Delineation Manual;
12. Existing topography with slopes of fifteen percent (15%) or greater clearly identified;
13. The approximate locations of existing waterbodies, perennial streams, and intermittent streams;
14. A soils analysis and identification of any areas with high potential for shrink-swell qualities;
15. Any cemetery and other place of burial, which shall be delineated and reserved within an open space easement, the boundaries of which shall be no closer than ten (10) feet to the extent of the burial area;
16. The identification of sixth-order watershed boundaries in accordance with the current National Watershed Boundary Dataset;

17. Any historic resources identified on the National Register of Historic Places or the Virginia Landmarks Register;

c. Proposed improvements, including, but not limited to:

1. The number, dimensions, and area of each proposed lot;
2. The minimum setback lines and minimum yards for each proposed lot;
3. The location, right-of-way widths, and names of proposed roads (proposed public roads shall be labeled as "dedicated to public use"), provided the proposed road names have been approved by the County's addressing coordinator;
4. The locations, dimensions, and purposes of all proposed easements (proposed public easements shall be labeled as "reserved for public use");
5. Any land to be dedicated to public use in fee simple, reserved for open space, or to otherwise be held in common ownership;
6. A conceptual phasing plan, if applicable;
7. Proposed water and wastewater utilities (including fire protection, if applicable), with details sufficient to receive approval from the entity or entities responsible for their maintenance (for public utilities) OR the locations of proposed wells and septic drainfields to meet VDH requirements;
8. An erosion and sediment control plan pursuant to Chapter 26 (Erosion & Sediment Control) of the County Code and to applicable state laws;
9. For proposed public roads, road plans which comply with the current Commonwealth Transportation Board Secondary Street Acceptance Requirements (SSAR) and other design requirements in sufficient detail to receive approval from VDOT;

10. For proposed private roads, construction and surfacing details pursuant to the private road standards contained within this Ordinance;
11. All provisions and facilities necessary for stormwater management, pursuant to Virginia Stormwater Management Program regulations.

Sec. 54-31. – Preliminary Plat and Plan Approval Process.

- a. *Pre-application conference.* Prior to submittal of the application, the subdivider shall confer with the Subdivision Agent regarding the application process, applicable regulations, and the approval process. The Subdivision Agent may forego this step at his/her discretion.
- b. *Application submittal.* The subdivider shall submit at least six (6) copies (2 per review agency) of the preliminary plat and associated improvements plan necessary for adequate review by the Subdivision Agent and other external agencies. The subdivider shall also make available a digital copy of the submittal and any revisions, upon request by the Subdivision Agent.
- c. *Initial review.* Within ten (10) days of the plat/plan submittal, the Subdivision Agent shall determine whether or not the application is complete. If the application is incomplete, the Subdivision Agent shall specify in writing to the applicant the necessary steps for completion. If the application is complete, the Subdivision Agent shall proceed with application review.
- d. *Agency review.* The Subdivision Agent shall arrange for copies of the complete application to be forwarded to VDOT, VDH, RSA (or other public utility provider), the Culpeper Soil & Water Conservation District, and/or any other agency whose review is deemed necessary by the Subdivision Agent. Such agencies shall have up to forty-

five (45) days to review the application and provide comments or approvals. If revisions to the application are needed to address comments, the forty-five (45) day review period shall restart from the date of the revised submittal to the agency.

1. *Traffic Impact Analysis.* In addition to the plat/plan submittal, a supplemental traffic impact analysis shall be submitted pursuant to § 15.2-2222.1 of the Code of Virginia and pursuant to current VDOT Traffic Impact Analysis Regulations.
 2. *Town review.* Whenever a plat is submitted for a subdivision, any portion of which is within two (2) miles of the Town of Orange or Town of Gordonsville, the Subdivision Agent shall allow for review by the applicable town by requesting comments on the proposal within forty-five (45) days.
 3. *Dam Break Inundation Zones.* For any plat lying wholly or partly within any mapped dam break inundation zone, the Subdivision Agent shall allow for review and comment on the plat by DCR pursuant to § 15.2-2243.1 of the Code of Virginia.
- e. *Subdivision Agent concurrent review.* The Subdivision Agent shall complete his/her review of the plat/plan submittal during the agency review period and upon receipt of all approval recommendations from review agencies, he/she shall forward the finalized preliminary plat and improvements plan to the Planning Commission within thirty-five (35) days of receipt of all review agency approvals.
- f. *Planning Commission review and approval.* Within forty-five (45) days after receiving the finalized plat/plan, the Commission shall review and consider the proposal at the next suitable regular meeting or special meeting, if necessary. If the Commission finds that the proposal meets

the requirements of this Ordinance, they shall adopt a resolution of approval for the plat/plan. If the Commission finds the proposal does not meet the requirements of this Ordinance, they shall defer action on the proposal until the next regularly-scheduled meeting and shall specify in writing what corrections or modifications would permit approval. If the revised plat/plan adequately addresses the stated corrections or modifications, the Commission shall adopt a resolution of approval for the plat/plan. If the revised plat/plan still does not adequately address the stated corrections or modifications, the Commission shall defer action once again, provided however that they approve or deny the plan/plan within ninety (90) days of the public hearing. If the Commission denies the plat/plan or does not act within the ninety (90) day period, the subdivider may request review by the Circuit Court pursuant to § 15.2-2260(D) or (E) of the Code of Virginia.

- g. *Preliminary plat and plan approval.* Once the Commission has adopted a resolution of approval for a preliminary plat/plan, the Subdivision Agent shall notify the subdivider in writing of the approval, provide his/her approval signature on the plat/plan along with the date of the Commission approval, and obtain approval signatures from the County Erosion & Sediment Control Program Administrator, VDOT, RSA (if applicable), and any other applicable approval agency. As part of the approval notification, the Subdivision Agent shall also specify what steps may remain in order to obtain permits for construction.

Sec. 54-32. – Effect of Preliminary Plat and Plan Approval.

Approval of a preliminary plat and the associated improvements plan shall authorize:

- a. Land disturbing activities, pursuant to permit and bond requirements, in phases if applicable;
- b. The construction of the road(s), utilities, and other infrastructure, in phases if applicable, pursuant to permit and bond requirements; and
- c. An application for record plat review, provided that:
 - 1. For non-phased subdivisions, the application is made within five (5) years of the date of the Subdivision Agent's approval signature on the preliminary plat/plan. However, once three (3) years have lapsed from the date of approval, and after ninety (90) days written notice by certified mail to the subdivider, the Subdivision Agent may revoke approval of the preliminary plat/plan upon a specific finding of facts that the subdivider has not diligently pursued approval of the record plat.
 - 2. For phased subdivisions, the application for the initial phase(s) is made within one (1) year of the date of the Subdivision Agent's approval signature on the preliminary plat/plan. The record plat for each subsequent phase shall be recorded within five (5) years of the date of recordation of the record plat for the previous phase. A given phase of development shall be subject to the engineering and construction standards, as well as zoning, in place at the time of recordation of the plat for said phase.
 - 3. Failure to comply with these timeframes for record plat submittal shall cause the preliminary plat and plan to become void.

Sec. 54-33. – Preliminary Plat and Plan Amendments.

The Subdivision Agent may allow for minor deviations from the preliminary plat and plan approved by the Planning Commission.

The addition of more building lots or significant changes in the internal road network and/or access to the state road network shall necessitate re-review and approval by the Planning Commission. Regardless of approval or denial, the timeframes for expiration shall remain unchanged.

Sec. 54-34 – 54-39. – Reserved.