

# Article IX – Utilities Standards.

## CHAPTER 54 – SUBDIVISION ORDINANCE

### Sec. 54-142. – Potable Water Supply.

- a. *Identified Water Supply Required.* Except as may be provided elsewhere herein, each lot created pursuant to this Ordinance shall have a potable water supply of adequate quantity and quality approved by the Virginia Department of Health. For private wells and community wells this approval shall be indicated by a signature of the appropriate VDH official on the plat. For connections to existing public water systems, this approval shall be indicated by a signature of the appropriate system owner representative on the plat. If a subdivision is to be served by a new community or public water system, the subdivider shall obtain the necessary VDH permits, approval of the system design, and written commitment by an entity approved by the Commonwealth of Virginia to operate and maintain the system.
- b. *Community Water Systems.* For any newly-created subdivision under a common plan of development which has a net density of greater than one (1) unit per two (2) acres, use of a community water system or connection to a public water system shall be required.
- c. *Certification of Adequate Water Supply.* For any subdivision under a common plan of development which contains more than twenty (20) lots and/or which has a net density of greater than one (1) unit per two (2) acres, either of which is to be served by groundwater, the subdivider shall obtain certification from a professional

geologist licensed in the Commonwealth of Virginia as a requisite for plat approval. This certification shall be signed and sealed by the professional and shall include the following:

1. A statement that to the best of his/her professional knowledge and judgement, the property to be subdivided will reliably produce at least two (2) gallons per minute per lot at estimated peak demand times.
2. A statement that to the best of his/her professional knowledge and judgement, the full buildout of the subdivision will not result in considerable change in the piezometric surface of the underlying aquifer or in the yield(s) of existing nearby wells.
3. A statement regarding the acceptability of the quality of the water per VDH Waterworks Regulations.
4. If the development is located within an area of the County with underlying geographic formations known for containing naturally-elevated radionuclide levels (being those areas generally west of Route 15 (James Madison Hwy) and east of Route 644 (Ridge Rd/Burnley Rd), and those areas near Lake Anna shown on the state geology maps as being Ordovician pyroxenite, monzonite, and granodiorite formations), a statement regarding the acceptability of radioactivity levels in the water per VDH Waterworks Regulations.
5. A geologic map of the area to be subdivided, consistent with the maps routinely prepared by the Virginia Department of Mines, Minerals, and Energy in form, content, quality. This map shall also show existing wells and habitable structures on and within one-thousand (1,000) feet of the property to be subdivided, watercourses and waterbodies on the

property, identification of sixth-order watersheds from the National Watershed Boundary Dataset (WBD), illustration of groundwater contours and the direction of groundwater flow as available from field observations and/or published sources, anticipated depth(s) to groundwater, and any known or suspected source of groundwater pollution. These elements may be shown on separate maps as clarity requires.

**Sec. 54-143. – Wastewater Treatment.**

- a. *Identified Method of Treatment Required.* Except as may be provided elsewhere herein, each lot created pursuant to this Ordinance shall have an adequate method of wastewater treatment approved by the Virginia Department of Health. This approval shall be indicated by a signature of the appropriate VDH official or the appropriate public/community system owner representative on the plat. If a subdivision is to be served by a new community or public wastewater system, the subdivider shall obtain the necessary VDH permits, approval of the system design, and written commitment by an entity approved by the Commonwealth of Virginia to operate and maintain the system.
- b. *Community Wastewater Systems.* For any newly-created subdivision under a common plan of development which has a net density of greater than one (1) unit per two (2) acres, use of a community wastewater system or connection to public utilities shall be required.

**Sec. 54-144. – Required Connections to Existing Public Systems.**

Pursuant to § 15.2-2242 of the Code of Virginia, for any subdivision of land that abuts or adjoins a public water and/or sewer system or main, development of the resulting lots shall be

required to connect to and utilize the public utilities, if deemed available by the utility provider. The subdivider shall obtain a written confirmation of availability/unavailability of the utilities from the provider, and submit that as part of the application for plat review. The Board of Supervisors may grant special exceptions for deviations from this provision, provided the rationale for the request is not financially-based.

**Sec. 54-145. – Storm Drainage and Stormwater Management.**

- a. Any subdivision and/or related development approved pursuant to this Ordinance shall take necessary steps to ensure that adequate drainage of stormwater occurs in a manner that does not cause any undue impacts on adjacent or downstream properties, meets applicable standards contained in the VDOT Road and Bridge Standards, and meets applicable stormwater management regulations.
- b. Where Best Management Practice (BMP) facilities are required for a subdivision pursuant to stormwater management regulations, the entire development and each lot therein shall be subject to a perpetual maintenance agreement for the facilities. This agreement shall be reviewed by the Subdivision Agent along with the plats and plans for the development, and recorded in the Orange County Circuit Court by the subdivider. The Subdivision Agent may modify this requirement where alternative arrangements will equally or better serve the intent of this section.

**Sec. 54-146. – Utilities and Drainage Easements.**

- a. Easements for electrical lines, water/wastewater, drainage facilities, telecommunications lines, and other utilities shall be provided within easements at least fifteen (15) feet in width. For publicly-dedicated rights-of-way and private fee-simple rights-of-way held in common ownership,

these easements shall be reserved along both sides of the right(s)-of-way and along shared property lines, where necessary, to ensure continuity of utilities between adjacent properties. For access easements, the utilities easement(s) may be included as part of the access easement or provided adjacent to said easement. The Subdivision Agent may allow for minor variations to the locations of easements to accommodate topography and efficient provision of utilities.

- b. In subdivisions with publicly-dedicated rights-of-way or private fee-simple rights-of-way held in common ownership, all utilities shall be placed underground.
- c. Where existing topography or other conditions make it impractical for the inclusion of drainage facilities within road rights-of-way, perpetual, continuous, and unobstructed easements for drainage facilities shall be provided outside the road right(s)-of-way.
- d. Where a proposed drainage system will convey water across property outside of a subdivision, proof of adequate easements for all portions of the system shall be provided in a format approvable by the Subdivision Agent.

**Sec. 54-147. – Fire Protection.**

For subdivisions under common plans of development, or as determined by the Subdivision Agent upon consultation with the appropriate fire protection authority, fire hydrants shall be required where a public water supply is available. Hydrants shall be spaced no farther than one-thousand (1,000) feet apart and/or no farther than five-hundred (500) feet from any habitable structure, whichever results in adequate coverage for all habitable structures. All underground utilities for fire hydrants, together with the hydrants themselves, and all other supply improvements shall be installed before installation of final road improvements.

**Sec. 54-148 – 54-153. – Reserved.**