

Repealed Chapter 20 and Replace with this Chapter 20
Adopted January 10, 2000
Amended November 27, 2006

CHAPTER 20
SUBDIVISION OF LAND.

For state law as to land subdivision and development, see Code of Va., §§ 15.2-2200 to 15.2-2209: As to duty of town to adopt subdivision ordinance, see Code of Va., § 15.2-2240. As to provisions of subdivision ordinance generally, see Code of Va., § 15.2-2240.

As to buildings generally, see ch. 5 of this Code. As to streets and sidewalks generally, see ch. 19. As to water and sewers generally, see ch. 21. As to zoning, see ch.24.

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Article I. In General.

Sec. 20-1. Purposes of chapter.

The purpose of this chapter is to establish certain subdivision standards and procedures for the town and such of its environs as come under the jurisdiction of the town council as provided for by the Code of Virginia. These 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, the purposes of these standards and procedures are to provide a guide for the change that occurs when lands and acreage become urban in character as a result of development for residential, business or industrial purposes; to provide assurance that the purchasers of lots are buying a commodity that is suitable for development and use; and to make possible the provision of public services in a safe, adequate and efficient manner. Subdivided land sooner or later becomes a public responsibility, in that roads and streets must be maintained and numerous public services customary to urban areas must be provided. The chapter assists the community in meeting these responsibilities. (11-9-81, § 1.)

Sec. 20-2. Short title.

This chapter is known and may be cited as the "Subdivision Ordinance of the Town of Onancock, Virginia." (11-9-81, § 1.)

Sec. 20-3. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section; provided, that words used in the present tense include the future, and 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"; the word "shall"¹¹ is mandatory and not directory; 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; and all distances and areas refer to measurement in a horizontal plane:

Administrator. The town manager.

Alley. A permanent service way providing a secondary means of access to abutting properties.

Building setback line. A line showing the minimum distance by which any structure, exclusive of signs, must be separated from the front lot line of a lot, or from the centerline of the surveyed right-of-way on which the lot fronts.

Commission. The planning commission of the town.

Cul-de-sac. A street with only one outlet and having an appropriate turnaround for a safe and convenient reverse traffic movement.

Developer. An owner of property being subdivided, whether or not represented by an agent.

Easement. A grant by a property owner of the use of land for a specific purpose.

Engineer. An engineer licensed by the state.

Governing body. The town council.

Health official. The health director or sanitarian for the county.

Resident Highway Engineer. The resident engineer employed by the state department of transportation.
council.

Jurisdiction. The area or territory subject to the legislative control of the town

Lot. A numbered and recorded portion of a subdivision intended for transfer of ownership, lease, rental or building development.

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

Lot, depth of. 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 the county.

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

Operator in Charge. Town employee who is responsible for the operation and maintenance of the water and wastewater facilities within the Town.

Plat. (includes the terms "map," "plan," "plot," "replat" or "replot"). A map or plan of a tract or parcel of land which is to be, or which has been, subdivided. When used as a verb, "plat" is synonymous with "subdivide."

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

Resubdivide. To make any change in any dimension of any lot as shown on a recorded plan, except in the case of a plat recorded for the purpose of a security release to a lending agency.

Street. The principal means of access to abutting properties. The term "street" shall include a "road," "lane," "drive," "place," "avenue," "highway," "boulevard" or any other public thoroughfare for a similar purpose.

Street, major. Any existing or future street designated as a major street on the adopted town comprehensive plan or any heavily traveled thoroughfare or highway that carries a large volume of through traffic, or anticipated traffic exceeding five hundred vehicles per day.

Street, minor. A street that is used primarily as a means of public access to the abutting properties, with anticipated traffic of less than five hundred vehicles per day.

Street or alley, public use of. The unrestricted use of a specified area or right-of-way for ingress and egress to two or more abutting properties.

Street, service drive. A public right-of-way generally parallel and contiguous to a major highway, primarily designated to promote safety by eliminating haphazard ingress and egress to the right-of-way by providing safe and orderly points of access to the highway.

Street width. The total width of the strip of land dedicated or reserved for public travel, including roadway, curbs, gutters, sidewalks and planting strips.

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

The word "subdivide" and any derivative thereof shall have reference to the term "subdivider."

Subdivision. The division of any tract, lot or parcel of land into more than four parts, regardless of whether the individual lots or tracts are sold, leased or rented; except, that the following divisions of land shall not be considered subdivisions:

- (a) Divisions ordered by a court of competent jurisdiction;
- (b) Divisions made solely for agricultural or timber purposes;
- (c) Divisions by deed of gift or will;
- (d) Divisions whereby a parcel is separated in order to become a permanent part of an adjoining tract;
- (e) Divisions creating building sites for family members of the owner of the property, provided the lots satisfy the minimum lot size requirement of this chapter; and
- (f) Divisions in which each single parcel contains three or more acres.

Substandard division. A division of land not in conformity with this chapter, which may be resubdivided and redeveloped in whole or in part, but only under the provisions of this chapter.

Surveyor. A certified land surveyor as licensed by the state. (11-9-81, § 2.)

Sec. 20-4. Mutual responsibility of subdivider and town.

There is a mutual responsibility between the subdivider and the town to divide the land so as to improve the general use pattern of the land being subdivided. (11-9-81, § 5.)

Sec. 20-5. Land to be suitable for subdivision

The town manager shall not recommend approval of the subdivision of land to the Town Council and Planning Commission, if, from adequate investigations conducted by public agencies concerned, it has been determined that, in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed. In connection with this investigation, the town manager may require the subdivider to furnish topographical maps, elevations, flood profiles or other relevant data. (11-9-81, § 5.)

Sec. 20-6. Land subject to flooding, etc., not to be platted for residential occupancy.

Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for such other uses as may increase danger of health, life or property or aggravate erosion or flood hazard. Such land within the subdivision shall be set aside on the plat for such uses as shall not be endangered by periodic or occasional inundation or shall not produce conditions contrary to public welfare. (11-9-81, § 5.)

Sec. 20-7. Exceptions.

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

to the site, in the opinion of the town manager, a departure may be made without destroying the intent of such provisions, the town manager may authorize an exception, if approved by the town council following receipt of the recommendation of the planning commission. Any exception thus authorized is to be stated in writing in the report of the town manager, with the reasoning on which the departure was justified set forth. No variance may be granted by this chapter which is opposed in writing by the town or highway engineer or health official. (11-9-81, § 7.)

Sec. 20-8. Amendments.

This chapter may be amended, in whole or in part, by the town council; provided, that any such amendment shall either originate with or be submitted to the commission for recommendation; provided, further, that no such amendment shall be adopted without a public hearing having been held by the town council. Notice of the time and place of the hearing shall have been given in accordance with section 15.2-2204 of the Code of Virginia. (11-9-81, § 7.)

Sec. 20-9. Violations and penalties.

Any owner or proprietor of any tract of land who subdivides that tract of land and who violates any of the provisions of this chapter shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars for each lot or parcel of land so subdivided, transferred or sold. 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.

The clerk of the circuit court of the county shall not file or record a plat of a subdivision, under the penalties provided by section 17-59 of the Code of Virginia, until such plat has been approved as required in this chapter. (11-9-81, § 7.)

Article II Administration.

Sec. 20-10. Town Manager-Authority generally.

The Town Manager is hereby delegated to administer this chapter. In so doing, the town manager shall be considered the agent of the town council. The town manager shall also consult with the planning commission on matters contained in this chapter. (11-9-81, § 3.)

Sec. 20-11. Same--Duties generally.

The Town Manager shall perform his/her duties regarding subdivisions and subdividing in accordance with this chapter and article 2 of chapter 7 of title 15.2 of the Code of Virginia. (11-9-81, § 3.)

Sec. 20-12. Same--Consultation with other departments.

In the performance of his/her duties, the town manager may call for opinions or decisions, either verbal or written, from other departments in considering details of any submitted plat. This authority by the town manager shall have particular reference to the resident

highway engineer and the health officer. (11-9-81, § 3.)

Sec. 20-13. Same--Establishment of administrative procedures.

In addition to the regulations contained in this chapter for the platting of subdivisions, the Town Manager may, from time to time, recommend to the Town Council the establishment of additional reasonable administrative procedures deemed necessary for the proper administration of this chapter. (11-9-81, § 3.)

Article III. Plats.

Division 1. Generally.

Sec. 20-14. Required; appeal from disapproval.

Any owner or developer of any tract of land situated within the town who subdivides the same shall cause a plat of such subdivision, with reference to known or permanent monuments, to be made and recorded in the office of the clerk of the circuit court of the county. No such plat of subdivision shall be recorded unless and until it shall have been submitted, approved and certified by the town council in accordance with the regulations set forth in the chapter. No lot shall be sold in any such subdivision before the plat shall have been recorded.

In the event a plan for subdivision is disapproved by the Town Manager, the subdivider may appeal to the town council, which after receipt of the recommendation of the Planning Commission may then override the decision of the Town Manager and approve such plat. (11-9-81, § 4.)

Sec. 20-15. Drawing and certification requirements.

Every plat shall be prepared by a surveyor or engineer duly licensed by the state who shall endorse upon each plat a certificate signed by him, setting forth the source of the title of the land subdivided and the place of record of the last instrument in the chain of title. When the plat is of land acquired from more than one source of title, the outlines of the several tracts shall be indicated upon such plat, within an inset block or by means of a dotted boundary line upon the plat. (11-9-81, § 4.)

Sec. 20-16. Owners' statement.

Every plat, or the deed of dedication to which such plat is attached, shall contain, in addition to the surveyor's or engineer's certificate, a statement to the effect that "the above and foregoing subdivision of (here insert correct description of the land subdivided) as appears in the plat is with the free consent and in accordance with the desire of the undersigned owners, proprietors and trustees, if any," which shall be signed by the owners, proprietors and trustees

and shall be duly acknowledged before some officer authorized to take acknowledgments of deeds, and when thus executed and approved as herein specified, shall be filed and recorded in the office of the clerk of the circuit court of the county and indexed under the names of the landowners signing such statement and under the name of the subdivision. (11-9-81, § 4.)

Sec. 20-17. Compliance with chapter.

No person shall subdivide any tract of land that is located within the town, except in conformity with the provisions of this chapter. (11-9-81, § 4.)

Sec. 20-18. Applicability of chapter to private contracts, etc.

This chapter bears no relation to any private easement, covenant, agreement or restriction, nor is the responsibility of enforcing such private easement, covenant, agreement or restriction implied herein to any public official. When this chapter calls for more restrictive standards than are required by private contracts, the provisions of this chapter shall control (11-9-81, § 4.)

Sec. 20-19. Changes, etc., on approved plats.

No changes, erasures or revisions shall be made on any preliminary or final plat, or on accompanying data sheets, after approval of the Town Manager has been endorsed in writing on the plat or sheets, unless authorization for such changes has been granted in writing by the Town Council. (11-9-81, § 4.)

Sec. 20-20. Fees.

There shall be a charge for the examination and approval or disapproval of every plat reviewed by the Town Manager. At the time of filing the preliminary plat, the subdivider shall deposit with the town manager checks payable to the Town of Onancock in the amount of one hundred and fifty dollars (\$150) up to ten (10) lots and any additional lots over ten (10), the charge is an additional ten dollars (\$10) per lot. (11-9-81, § 4.) (Amended Nov. 27, 2006)

Sec. 20-21. Subdivision Plat approval required prior to sale of lots.

Whenever any subdivision of land is proposed and any application shall be made for a permit for the erection of a structure, the subdivider or his agent shall submit five copies of the preliminary plat, including the lot, street and utilities layout to the Town Manager, who shall review the subdivision plat as proposed and send two copies of the proposed subdivision plat materials to the Planning Commission for review. No lot shall be sold until a final plat for the subdivision shall have been approved and recorded as provided in this article. (11-9-81, § 6.)

Sec. 20-22. Preliminary sketch.

(a) The subdivider may, if he so chooses, submit to the town manager a preliminary sketch of the proposed subdivision prior to his preparing engineered preliminary and final plate. The purpose of such preliminary sketch is to permit the town manager to advise the subdivider whether his plans in general are in accordance with the requirements of this chapter. The town manager, upon submission of any preliminary sketch, shall study it and advise the subdivider wherein it appears that changes would be necessary. The town manager may mark the preliminary sketch, indicating necessary changes, and any such marked sketch shall be returned

to the commission with the preliminary plat. The preliminary sketch shall be as follows:

It shall be drawn on white paper, or on a print of a topographic map of the property. It shall be drawn to a scale of one hundred feet to the inch. It shall show the name and location of all proposed streets, lots, parks, playgrounds and other proposed uses of the land to be subdivided and shall include the approximate dimensions.

(b) Whenever part of a tract is proposed for platting and it is intended to subdivide additional parts in the future, a sketch plan for the entire tract shall be submitted with the preliminary plat. This sketch is merely for informational purposes and is not binding on the subdivider or the town council. (11-9-81, § 6.)

Division 2. Preliminary Plat.

Sec. 20-23. Form and contents.

The subdivider shall present to the Town Manager five prints of a preliminary layout, at a scale of one hundred feet to the inch, as a preliminary plat. The Town Manager shall then send two copies of the preliminary plat to the Planning Commission for review. The preliminary plat shall include the following information:

(a) Name of subdivision (the name shall not duplicate, or too closely approximate, that of any existing subdivision in the county or neighboring counties), owner, subdivider, surveyor or engineer, date of drawing, number of streets, north point and scale. If true north is used, the method of determination must be shown.

(b) Location of proposed subdivision by an insert map at a scale of not less than two inches equal one mile, showing adjoining roads, their names and number, towns, subdivisions and other landmarks, if any, within two thousand feet.

(c) The boundary survey or existing survey of record; provided, that such survey shows a closure with an accuracy of not less than one in twenty-five hundred; total acreage, acreage of subdivided area, number and approximate area and frontage of all building sites, existing buildings within the boundaries of the tract, names of owners and their property lines within the boundaries of the tract and adjoining such boundaries.

(d) All existing, platted and proposed streets, their names and widths; existing utility or other easements, public areas and parking spaces; culverts, drains and watercourses, their names and other pertinent data.

(e) The complete drainage layout, including all pipe sizes, types, drainage easements and means of transporting the drainage to a well-defined open stream, which is considered natural drainage.

(f) A cross section showing the proposed street construction, depth and type of base, type of surface, etc.

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

- (h) Location of each proposed lot line, showing dimensions.
- (i) The proposed building setback lines shown as dotted lines, to scale with dimensions to front property or street centerlines.
- (j) Proposed block and lot numbers and the area of each lot.
- (k) Proposed deed covenants, by reference to outlines of the same, which shall accompany the preliminary plat.
- (l) A location map tying the subdivision into the present road system, either by aerial photographs or topographic maps of the U.S. Department of the Interior.
- (m) Proposed connections with existing sanitary sewers and existing water supply or alternate means of sewage disposal and water supply within the corporate limits.
- (n) All parcels of land to be dedicated for public use and the conditions of such dedication. (11-9-81, § 6.)

Sec. 2-24. Accompanying information.

The following items shall accompany the preliminary plat at the time the latter is submitted to the town manager or planning commission or, in any event, not later than twelve days thereafter:

- (a) A statement by the health official that the subdivider has consulted with him with respect to the certificate which will be required before the final plat can be approved.
- (b) A statement by the subdivider acknowledging that any percolation tests, topographic studies or other requirements of the health official will be carried out at the expense of the subdivider.
- (c) If streets, parking areas or drainage systems are included in the subdivision, a written statement by the Resident Highway Engineer certifying that these proposed subdivision improvements conform to the current minimum VDOT standards and specifying any special treatment which will be required in their construction.
- (d) If it is proposed to dedicate or reserve land, other than for streets, for public use, or for the common use of future property owners in the subdivision, a statement by the subdivider to that effect, giving an outline of the terms proposed and the acreage involved.
- (e) If town water or sewerage is to be provided, a written statement from the Operator in Charge certifying that these proposed improvements conform to the current standards as required by the Department of Environmental Quality, Health Department and any other agencies with relevant jurisdictional authority. Such written statement may require that certain specifications be met as a condition to furnishing or operating town water or sewerage. The town manager shall attach the written statement to the final plat when that is filed.
- (f) A statement by the subdivider as to whether any part of the proposed subdivision lies within the area of applicability of any other effective subdivision ordinance.

- (g) An outline of deed covenants, if any, pertaining to the subdivision.
- (h) A check payable to the Town of Onancock to cover fees required. (11-9-81, § 6.)

Sec. 20-25. Review procedure.

The town manager, or his/her appointed representative, shall discuss the preliminary plat with the subdivider in order to determine whether or not his preliminary plat generally conforms to the requirements of this chapter and of the Zoning Ordinance. The subdivider shall then be advised in writing within thirty days, which may be by formal letter or by legible markings on his copy of the preliminary plat, concerning any additional data that may be required, the character and extent of public improvements that will have to be made and estimates of the cost of construction or improvements and the amount of the performance bond which will be required as a prerequisite to approval of the final subdivision plat.

In determining the cost of required improvements and the amount of the performance bond, the town manager may consult with a duly licensed engineer, who shall prepare such data for the town manager, or, preferably, may require a bona fide estimate of the cost of improvements to be furnished by the subdivider.

The Town Manager shall give notice of a public hearing, which may be held jointly or separately by the planning commission and the Town Council to consider the preliminary plat of any proposed subdivision.. Such notice shall be given once in a newspaper published or having a general circulation in the town, giving the date, time and place of the hearing, the magisterial district and a brief identification and location of the proposed subdivision. At such hearing, all interested persons may appear and state their views. (11-9-81, § 6.)

Sec. 20-26. Approval not to constitute guarantee of final plat approval.

Approval by the town manager of the preliminary plat does not constitute a guarantee of approval of the final plat by the Town Council. (11-9-81, § 6.)

Sec. 20-27. Time limit for filing final plat.

The subdivider shall have not more than six months after receiving official notification concerning the preliminary plat to file with the town manager a final subdivision plat in accordance with this chapter. Failure to do so shall make preliminary approval null and void. The town manager may, upon a finding of good cause, on written request by the subdivider grant an extension of this time limit.. (11-9-81, § 6.)

Division 3. Final Plat.

Sec. 20-28. Form and contents.

The subdivision plat submitted for final approval by the town council and subsequent

recording shall be clearly and legibly drawn in ink upon tracing cloth or mylar, at a scale of one hundred feet to the inch, on sheets having a size of fifteen inches by twenty inches or the size of the plat book. In addition to the requirements of the preliminary plat, the final plat shall include the following:

(a) A blank, oblong space three inches by five inches shall be reserved for the use of the approving authority.

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

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

(d) When the subdivision consists of land acquired from more than one source of title, the outlines of the various tracts shall be indicated by dash-lines, and identification of the respective tracts shall be placed on the plat.

(e) The accurate location and dimensions by bearings and distances with all curve data on all lots and street lines, and centerlines of streets; boundaries of all proposed or existing easements; parks; school sites; all existing public and private streets, their names, numbers and widths; existing utilities, and those to be provided, such as sanitary sewers, storm drains and water mains; manholes and underground conduits; including their size and type; watercourses and their names; and names of owners and their property lines, both within the boundaries of the subdivision and adjoining such boundaries.

(f) Distances and bearings must balance and close with an accuracy of not less than one in ten thousand.

(g) The data of all curves along the street frontage shall be shown in detail on the curve data table containing the following: Delta, radius, arc, tangent, chord and chord bearings. (11-9-81, § 6.)

Sec. 20-29. Approval and recordation.

(a) The final plat shall not be approved until the subdivider has complied with the general requirements and minimum standards of design in accordance with this chapter, and has made satisfactory arrangements for performance bond, cash or cash bond to cover the cost of necessary improvements, in lieu of construction, to the satisfaction of the town manager. Approval of the final plat by the Town Council shall be written on the face of the plat by the town manager. The subdivider shall record the plat within six months alter final approval; otherwise, the town manager shall mark the plat "void" and return the same to the subdivider.

(b) Within thirty days alter recordation of the approved final plat, the subdivider shall file a copy thereof in the office of the county commissioner of revenue, pursuant to the Virginia Land Subdivision and Development Act.

(c) Recordation of the final plat of a subdivision shall not be deemed to be the acceptance by the town of any street or road or other public place shown on the plat for maintenance, repair

or operation thereof. (11-9-81, § 6.)

Article V. Improvements.

Sec. 20-30. Generally.

All required improvements shall be installed by the subdivider at his cost. In cases where specifications have been established, either by the state department of transportation for streets, curbs, etc., or by local ordinances and codes, such specifications shall be followed. The subdivider's bond shall not be released until construction has been inspected and approved by the appropriate engineer. All improvements shall be in accordance with the requirements of this article. (11-81, § 5.)

The Town may require the subdivider to pay the pro-rata share of the cost of providing reasonable and necessary sewerage, water and drainage handling and processing facilities, located outside the property boundaries of the land owned or controlled by the subdivider, but necessitated or required, at least in part, by the construction improvement of the subdivision or development, pursuant to the provisions of the Code of Virginia Section 15.2-2243.

Sec. 20-31. Streets.

All streets in the proposed subdivision shall be designed and constructed by the subdivider, at no cost to the Town, in accordance with the minimum current standards for such streets as required by the Virginia Department of Transportation.

Where required by the highway engineer, a drainage system shall be provided for by means of culverts, ditches, catch-basins 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.

Curb and gutter and sidewalks shall be required for all new subdivisions within the town limits, in accordance with the minimum current standard specifications of the Virginia Department of Transportation.

Street signs shall be installed at all street intersections in any subdivision by the subdivider.

(g) *Private streets and reserve strips.* There shall be no private streets platted in any subdivision. Every subdivision property shall be served from a publicly dedicated street. There shall be no reserve strip controlling access to streets.

(h) *Names.* 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, irrespective of the use of the suffix "street," "avenue," "boulevard," "drive," "way," "place," "lane" or "court." Street names shall be indicated on the preliminary and final plats and shall be approved by the Town Council. Names of existing streets shall not be changed, except by approval by the town council.

(i) *Identification signs.* Street identification signs of a design approved by the town manager shall be installed at all intersections, readable from either side. (11-9-81, § 5.)

Sec. 20-32. Lots.

In addition to the area and width requirements already specified in this chapter and in chapter 24 of this Code, lots shall be arranged in order that the following considerations are satisfied:

(a) *Shape.* The lot arrangement, design and shape shall be such that lots will provide satisfactory and desirable sites for buildings, be properly related to topography and conform to the requirements of this chapter. Lots shall not contain peculiarly shaped elongation's solely to provide necessary square footage of area which would be unusable for normal purposes.

(b) *Location.* Each lot shall abut on a street dedicated by the subdivision plat, or on an existing publicly dedicated street, or on a street which has become public by right of use. If the existing streets are not fifty feet in width, the subdivider shall make provisions in the deeds to the lots for all buildings to be so constructed as to permit the widening by dedication of such roads or streets to a width of fifty feet.

(c) *Corner lots.* Corner lots shall have extra width sufficient for maintenance of any required lines on both streets, as determined by the town manager.

(d) *Side lines.* Side lines of lots shall be approximately at right angles, or radial to the street line.

(e) *Remnants.* All remnants of lots below minimum size left over after subdividing of a tract must be added to adjacent lots, or otherwise disposed of, rather than allowed to remain as unusable parcels.

(f) *Separate ownership.* Where the land covered by a subdivision includes two or more parcels in separate ownership, and lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to single ownership, simultaneously with the recording of the final plat. Such deed is to be deposited with the clerk of the circuit court of the county and held with the final plat until the subdivider is ready to record the same, and they both shall then be recorded together.

(g) *Business or industrial use.* Lots intended for business or industrial use shall be designed specifically for such purposes, with adequate space set aside for off-street parking and delivery facilities. (11-9-81, § 5.)

Sec. 20-33. Blocks.

Where created by the subdivision of land, all new blocks shall be of modern design and shall comply with the following general requirements:

(a) *Length.* Generally, the maximum length of blocks shall be twelve hundred feet, and the minimum length of blocks upon which lots have frontage shall be five hundred feet.

(b) *Width.* Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets, unless prevented by topographical conditions or size of the property, in which case the town manager may approve a single tier of lots of minimum depth.

(c) *Orientation.* Where a proposed subdivision will adjoin a major road, the town manager may recommend to the Town Council and Planning Commission that the greater

dimension of the block shall front or back upon such major thoroughfare to avoid unnecessary ingress or egress. (11-9-81, § 5.)

Sec. 20-34. Monuments-Generally.

As required by this chapter, all monuments must be installed by the subdivider and shall meet the current minimum standard specifications of the Virginia Department of Transportation. Upon completion of subdivision streets, sewers and other improvements, the subdivider shall make certain that all monuments required by the town are clearly visible for inspection and use. Such monuments shall be inspected and approved by the town manager before any improvements are accepted by the Town Council. (11-9-81, § 5.)

Sec. 20-35. Same--Concrete.

Concrete monuments four inches in diameter or square, two feet long, with a flat top, shall be set at all street corners, at all points where the street line intersects the exterior boundaries of the subdivision and at right angle points and points of curve in each street. The top of the monument shall have an appropriate mark to identify properly the location and shall be set six inches above finished grade. (11-9-81, § 5.)

Sec. 20-36. Same--Iron pipe.

All lot corners other than those specified in section 20-34 shall be marked with iron pipe not less than three-fourths inch in diameter and twenty-four inches long and driven so as to be flush with the finished grade. When rock is encountered, a hole shall be drilled four inches deep in the rock, into which shall be cemented a steel rod one-half inch in diameter, the top of which shall be flush with the finished grade line. (11-9-81, § 5.)

Sec. 20-37. Water facilities generally.

Public water service, (water meter box & accessories), including fire hydrants, shall be extended to all lots within a subdivision by the subdivider, at his cost, in accordance with the design standards and specifications for water, construction and improvement in the town and meeting the approval of the Town Manager and Town Council. (11-9-81, § 5.)

Sec. 20-38. Sewerage facilities generally.

Public sewerage service shall be extended, with the laterals and clean outs installed to the property lines on all lots within a subdivision by the subdivider, at no cost to the Town, according to current design specifications and shall meet the approval of the Town Manager and Town Council. Septic tanks will not be permitted. (11-9-81, § 5.)

Sec. 20-39. Storm drainage facilities.

The subdivider shall, at no cost to the town, provide all necessary information needed to determine what improvements are necessary to properly develop the subject property, including contour intervals, drainage plans and flood control devices. The subdivider shall also provide plans for all such improvements, together with a properly qualified certified engineer's or surveyor's statement that such improvements, when properly installed, will be adequate for proper development. The highway engineer shall then approve or disapprove the plans. The subdivider shall also provide any other information required by the highway engineer. (11-9-81, § 5.)

Sec. 20-40. Streetlights.

The subdivider shall, at no cost to the town, provide streetlights in accordance with design and specification standards as deemed appropriate by the Town Manager.

Sec. 20-41. Fire hydrants.

The subdivider shall, at no cost to the town, provide adequate fire hydrants in accordance with design and specification standards as deemed appropriate by the Town Manager. The location of the fire hydrants shall meet or exceed the National Board of Fire Underwriters Specifications. (11-9-81, § 5.)

Sec. 20-42. Easements.

The Town Manager shall require that easements for drainage through adjoining property be provided by the subdivider. Easements of not less than twelve feet in width shall be provided for water, sewer, power lines and other utilities in the subdivision, when required by the Town Manager and Town Council. A larger easement width may be required, if determined necessary by the Town Manager and Town Council. (11-9-81, § 5.)

Sec. 20-43. Performance bond or check.

The subdivider shall furnish a cash bond or equivalent, a letter of credit, a surety bond of a surety company or a certified check payable to the Town of Onancock, in an amount equal to the total cost, as determined by the town manager, of such improvements, so as to guarantee they will be installed within a designated reasonable length of time in a manner acceptable to the town manager. Such bond or check shall accompany the final plat when it is submitted to the town manager.

In the absence of a performance bond or check, no final plat shall be approved or recorded until the required improvements have been installed and approved by the Town Manager. (11-9-81, § 5.)

Sec. 20-44. Plans and specifications.

Five blue or black line prints of the plans and specifications for all required physical improvements to be installed shall be prepared by a certified engineer and shall be submitted to the Town Manager for distribution to the Planning Commission and Town Council for review, which review shall be within thirty days. If at that time the Town Manager, Town Council and Planning Commission do not have any comments, the Town Manager shall advertise for a public hearing, which may be held jointly or separately, at the earliest convenient date. If the

subdivision is approved, one copy bearing certification of such approval shall be returned to the subdivider. If disapproved, all papers shall be returned to the subdivider, with the reason for disapproval in writing. In the event no action is taken in sixty days, such subdivision shall be deemed approved. (11-9-81, § 5.)

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