

Town of Remington

Subdivision & Land Development Ordinance

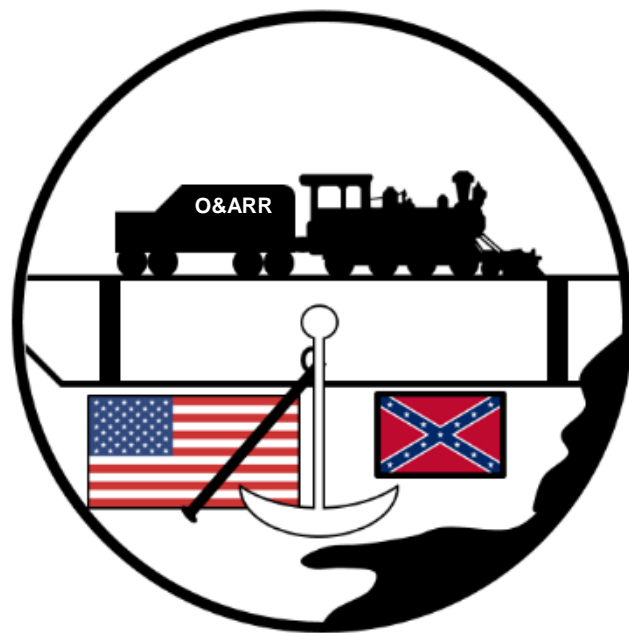


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Article 1 Authorization

AN ORDINANCE TO REGULATE THE SUBDIVISION OF PROPERTY INTO LOTS, STREETS, ALLEYS, AND OTHER PUBLIC AREAS, TO PROVIDE FOR THE MAKING AND RECORDING OF PLATS OF SUCH SUBDIVISION AND THE CERTIFICATION OF THE SAME, TO PROVIDE FOR THE APPROVAL OF PLATS, TO REGULATE THE DEVELOPMENT OF PROPERTY, AND TO PROVIDE FOR THE APPROVAL OF SITE DEVELOPMENT PLANS.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF REMINGTON, that the subdivision and land development ordinances of the Town of Remington be repealed and that the following ordinance be enacted as the 1987 Subdivision and Land Development Ordinance of Remington, Virginia or as the "Subdivision and Land Development Ordinance".

1-1 AUTHORIZATION

The Town Council of Remington, Virginia, is authorized to adopt subdivision and land development regulations pursuant to the provisions of the Act known as the Land Subdivision and Development Act found in the Code of Virginia 1950, as amended, Section 15-1.465 through Section 15.1-485 and Section 15.1-491(h).

1-2 PURPOSE

The purpose of this Ordinance is to establish reasonable and desirable subdivision and land development standards and procedures for the Town of Remington. These are part of the implementation portion of the comprehensive planning process to guide and facilitate the orderly growth of the community, and to promote the public health, safety, convenience and welfare. More specifically, the purposes of the 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. This Ordinance is designed to assist the Town in meeting these responsibilities. Every 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 developed and prepared in accordance with these regulations, with reference to known or permanent monuments, to be made and recorded in the office of the Clerk of the Circuit Court of Fauquier County wherein deeds conveying such land are required by law to be recorded. Every owner or proprietor of any tract of land to which these regulations apply who develops land, shall do so only after his site development plan has been approved by the Town.

1-3 TITLE

This Ordinance is known and may be cited as the "1987 Subdivision and Land Development Ordinance of the Town of Remington, Virginia".

Article 2 Definitions

- 2-1 WORDS AND TERMS** – For the purpose of this Ordinance, certain words and terms used herein shall be interpreted and defined as follows. Words used in the present tense include the future tense, the singular includes the plural, and the plural the singular, unless the natural construction of the word indicates otherwise; the word "lot" includes the word "plot," and "Parcel"; the word "shall" is mandatory and not advisory; the word "approve" shall be considered to be followed by the words "or disapproved"; any reference to this Ordinance includes all ordinances amending or supplementing the same; and all distances and areas refer to measurements in a horizontal plane.
- 2-2 ADMINISTRATOR** – The Zoning Administrator or his designated agent who has been appointed to serve as the agent of the Council in administering the subdivision and land development process stated in these regulations.
- 2-3 ALLEY** – A permanent service way providing a secondary means of vehicular access to an abutting property, and not intended for general traffic circulation
- 2-4 BUILDING** - A structure having one or more stories and a roof designed primarily for support and shelter of persons, animals or property of any kind. When a building or structure is divided into separate parts by fire walls, and having separate plumbing, electrical, heating, drainage and ventilation, each part so divided shall be deemed a separate structure.
- 2-5 BUILDING SETBACK LINE** - A line establishing the minimum distance by which any structure must be separated from the front line of a lot.
- 2-6 CLERK** - The Clerk of the Circuit Court of Fauquier County having jurisdiction in the Town of Remington.
- 2-7 COMMISSION** - The Planning Commission of the Town of Remington, Virginia.
- 2-8 COMPREHENSIVE PLAN** - Maps, charts, descriptive matter officially adopted by the Town Council showing among other things recommendations for the most appropriate use of land; for the most desirable density of population; for a system of thoroughfares, parkways and recreation areas; for the general location and extent of facilities for water, sewer, and for the general location, character and extent of community facilities.
- 2-9 COUNCIL** – The Town Council of Remington, Virginia.
- 2-10 CUL-DE-SAC** – A street with only one outlet and having an appropriate turn-around for safe and convenient reverse traffic movement.
- 2-11 DEVELOPER OR SUBDIVIDER** - An individual, corporation, proprietor, trust, trustee, joint venture, partnership, or other entity having legal title to any tract of land or parcel of land to be developed in planning, negotiation or in representing or executing the requirements or the ordinances of the Town of Remington.
- 2-12 EASEMENT** – A grant, running with the land, by a property owner of the use of land for a specific purpose.
- 2-13 ENGINEER** – A person who is recognized by the Commonwealth of Virginia and who is registered with the State Department of Professional and Occupational Registration as a "professional engineer".
- 2-14 FINAL PLAT** - A map or plan filed, or to be filed, of record of a subdivision and any accompanying material, as described in this Ordinance.

- 2-15 FRONTAGE** - That side of a lot abutting on a street or way and ordinarily regarded as the front of the lot. The shortest distance between the side lines of any lot measured along a line generally paralleling the street upon which the lot fronts.
- 2-16 HEALTH OFFICER** - The health director or sanitarian of Fauquier County, Virginia.
- 2-17 HIGHWAY ENGINEER** - The Resident Engineer serving the Town Of Remington, Virginia, or the Department of Transportation (VDOT) of Virginia, or his designated deputy.
- 2-18 LOT** - A numbered and recorded portion of a subdivision intended for transfer of ownership or for building development for a single building or accessory building or, in the case of land not transferred for sale, a measured parcel of land having fixed boundaries and designated on a plat or survey showing the metes and bounds or simply described by metes and bounds
- 2-19 LOT AREA** - The total horizontal area of the lot lying within the lot lines, provided that no area of land lying within any street or right-of-way shall be deemed a portion of any lot area. The area of any lot abutting a street shall be measured to the street right-of-way.
- 2-20 LOT, CORNER** - A lot abutting upon two (2) 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.
- 2-21 LOT, DEPTH OF** - The average horizontal distance between the front and rear lot lines.
- 2-22 LOT, DOUBLE FRONTAGE** - An interior lot having frontage on two (2) streets.
- 2-23 LOT, INTERIOR** - A lot other than a corner lot having frontage on one (1) street.
- 2-24 LOT, OF RECORD** - A lot which has been recorded in the office of the Clerk of the Circuit Court of Fauquier County.
- 2-25 LOT, WIDTH OF** - The average horizontal distance between the side lot lines.
- 2-26 PERFORMANCE BOND** – A letter of credit, corporate surety or cash deposit, approved by council in an amount equal to the full cost of improvements required by these regulations and providing for completion of said improvements within -a definite period of time. (A performance and payment bond also provides for the payment of subcontractors.)
- 2-27 PERSON** - An individual, a partnership, or a corporation or any other legal entity by whatever term customarily known.
- 2-28 PLANNER** - A person qualified to prepare site development plans, or plats either licensed as such, or meeting the standards for membership of the American Institute of Certified Planners.
- 2-29 PLAT** - A drawing of a survey of a tract or parcel of land prepared by an engineer or surveyor.
- 2-30 PRELIMINARY PLAT** – A preliminary drawing or drawings, described in this Ordinance, indicating the proposed manner or layout of the subdivision to be submitted to the Zoning Administrator for approval.

- 2-31 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, watermain, sanitary or storm sewer main, shade trees, or for another special use.
- 2-32 PUBLIC IMPROVEMENT** - All public utilities and facilities for which the Town Council may ultimately assume the responsibility for maintenance and operation or which may affect an improvement for which Town council responsibility is established. Such improvements shall include, but not be limited to, streets, storm and sanitary sewers, water lines, curb, gutter, sidewalks, and street signs. All such improvements shall be properly bonded.
- 2-33 SITE DEVELOPMENT PLAN** - Detailed drawings indicating all building construction and land improvements, including landscape treatments and related information as required by this ordinance.
- 2-34 STANDARDS** – Standard criteria, standard specifications and standard details for watermain, sanitary sewer, storm sewer and street construction for the Town of Remington.
- 2-35 STREET** – The principal means of access to any lot in a subdivision. The term street shall include a public or private road, land, drive, place, avenue, highway, boulevard, or any other right of way used for similar purpose.
- 2-36 STREET, PRIMARY THOROUGHFARE** – Any existing or future street shown as a major, or primary street on the adopted Comprehensive Plan or that carries a large volume of traffic, or anticipated traffic, exceeding three thousand (3,000) vehicles per day.
- 2-37 STREET, COLLECTOR** – Any existing or future street shown as a collector street on the adopted Comprehensive Plan or that carries a volume of through traffic between four hundred (400) and three thousand (3,000) vehicles per day.
- 2-38 STREET, LOCAL** – Any existing or future street shown as a local street on the adopted Comprehensive Plan and is used primarily as a means of public access to the abutting properties with anticipated traffic of less than four hundred (400) vehicles per day.
- 2-39 STREET WIDTH** – The total width of the strip of land dedicated or reserved for public travel, including roadway, curbs, gutters, sidewalks, planting strips, and where necessary, utility strips.
- 2-40 SUBDIVIDE** – To divide any tract, parcel or lot of land into two or more parts for the purpose of transferring ownership of any part or for the purpose of building development on any part. The term "subdivide" includes the term "resubdivide" and when appropriate to the context shall relate to the process of subdividing.
- 2-41 SUBDIVISION** – The process of subdividing or the result of subdividing.
- 2-42 SURVEYOR** – A certified land surveyor licensed by the Commonwealth of Virginia.
- 2-43 VARIANCE** – A variance is a relaxation of the terms of the Subdivision Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.
- 2-44 ZONING ORDINANCE** – Zoning Ordinance of the Town of Remington, Virginia.
- 2-45 ONE HUNDRED YEAR FLOOD** – A flood that, on the average, is likely to occur once every one hundred (100) years (i.e. That has one (1) percent chance of occurring each year, although the flood may occur in any year).

Article 3 General Regulations

3-1 ADMINISTRATION

The administration and enforcement of these regulations, insofar as they pertain to public improvements required herein, shall be vested in the Town Council. Except as provided above, administering and enforcing of the provisions of this Ordinance shall be carried out by the Zoning Administrator. The Planning Commission shall review and recommend approval or disapproval of site development plans and subdivision plats in accordance with this Ordinance. In the performance of its duties, the Commission may call for verbal or written opinions or decisions from other departments of the Town, as well as pertinent reports from state and other local government departments, including consultants where deemed necessary, in considering details of any proposed site development plan or subdivision plat. The right is reserved by the Town Council to elect by Resolution of record, whether it will or will not accept the dedication of any proposed subdivision, street, alley or other public improvements.

3-2 DUTIES

The Planning Commission shall perform its duties regarding subdivisions and land development in accordance with this Ordinance and the Land Subdivision and Development Act of the Code of Virginia.

3-3 ADDITIONAL AUTHORITY

In addition to the regulations and requirements herein contained concerning land development and platting of subdivisions, the Zoning Administrator may establish any reasonable additional administrative procedures deemed necessary for the proper administration of this Ordinance.

3-4 INTERPRETATION

The standards and procedures contained herein are declared to be the minimum requirements for the promotion of the public health, safety, convenience and welfare.

3-5 SUBDIVISION AND LAND DEVELOPMENT POLICY

3-5.1 SUBDIVISIONS GENERALLY

From and after the effective date of this ordinance, any owner or proprietor of any tract of land within the Town of Remington who subdivides the same as herein provided, shall cause a plat of such subdivision to be made in accordance with the regulations set forth in this Ordinance and in the Code of Virginia, and a copy of said plat to be recorded in the office of the Clerk of Fauquier County.

No final subdivision plat shall be recorded unless and until it shall have been submitted to the Planning Commission for review, approved by Town Council, and certified by the Zoning Administrator.

A Final Plat shall become null and void if it is not recorded in the Office of the Clerk of the Circuit Court of Fauquier County within six (6) months from the date of approval by Town Council, unless an extension is granted by the Town Council upon written application by the subdivider.

No parcel of land in a subdivision, as herein defined, created after the effective date of this Ordinance shall be transferred, sold, or offered for sale until a Final Plat has been approved and recorded as provided for in this Ordinance

3-5.2 LAND DEVELOPMENT GENERALLY

From and after the effective date of this Ordinance, any owner or proprietor of any tract of land within the Town of Remington who develops the same in a manner outlined in Article 5, Section 5-1, shall prepare a site development plan with the information required in Article 5, Section 5-2.

No final site development plan shall be valid unless and until it shall have been submitted to the Planning Commission for review, approved by Town Council, and certified by the Zoning Administrator.

Approval of a site development plan pursuant to this ordinance shall expire twelve (12) months after the date of approval unless building permits have been obtained for construction. Extensions may be granted upon written request by the applicant to the Zoning Administrator prior to lapse of approval, and extension of all bond and surety agreements.

3-7 ISSUANCE OF PERMITS

No official of the Town shall issue any zoning permit, building permit, or occupancy permit for any structure on any land subdivided or developed as herein defined after the effective date of this ordinance without fully complying with the provisions of this Ordinance.

3-8 VARIATIONS AND EXCEPTIONS

Where the subdivider or developer can show that a provision of this Ordinance if strictly adhered to and where because of topographical or other conditions peculiar to the site would result in a hardship to him, the Town Council may vary, modify or waiver the requirements of this Ordinance when the intent of this Ordinance would be preserved and the public interest secured.

3-8.1 The provisions of this Ordinance shall not apply to the partition or development of any tract of land ordered by a Court of competent jurisdiction.

3-8.2 In approving variances, Town Council may require revisions as will secure, substantially, the objectives of the standards or requirements of this Ordinance.

3-8.3 A petition for any variance shall be submitted in writing by the developer or subdivider at the time when the Preliminary Plat or Development Plan is filed for consideration. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner.

3-8.4 This Article shall not apply to acquisition of lands by the Town to construct new streets and to widen existing public streets, ways, and alleys.

3-8.5 The Zoning Administrator may permit the separation of one parcel from a tract as it exists at the time of adoption of this ordinance without complying with all requirements of this Ordinance if:

- a. It is not in conflict with the general meaning and intent of this Ordinance.
- b. No new streets are required to serve the parcel or the residual tract.
- c. Neither the parcel nor the residual tract is less than provided in the Zoning Ordinance.

3-9 COMPLEMENTARY ORDINANCES

This Ordinance is intended to complement and be consistent with the Zoning Ordinance. The creation of a subdivision or the development of land shall in no way exempt the owner from the provisions of the Zoning Ordinance.

3-10 VIOLATIONS AND PENALTIES

- 3-10.1** It shall constitute a violation of this Ordinance for any person or agent to disobey, neglect or refuse to comply with any of its provisions.
- 3-10.2** Any violation of this Ordinance shall constitute a Class 3 misdemeanor, punishable by a fine of \$500.00. Each day during which such violation shall occur represents a separate violation.
- 3-10.3** Any person who knowingly and intentionally makes any false statement relating to a material fact for the purpose of complying with the requirements of this Ordinance shall be guilty of a Class 3 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.
- 3-10.4** All departments, officials and public employees of the Town of Remington vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Ordinance. Any such permit or license, if issued in conflict with the provisions of this Ordinance, shall be null and void.
- 3-10.5** Where there has been a violation of this Ordinance, the Town may, notwithstanding the imposition of any fine in accordance with this section, seek equitable relief to enjoin any violation, in any Court of competent jurisdiction.

3-11 APPEALS

Any person aggrieved by the decision of the Zoning Administrator or his agent or any administrative official whose decision is required pursuant to this Ordinance may appeal, in writing, such decision to Town Council within thirty (30) days.

3-12 FEES

The Town Council, by resolution, shall establish a schedule of fees to compensate the Town for costs incurred for administration, examining development plans and subdivision plats, making investigations, advertising, travel, and other work incidental to the approval of development plans or subdivision plats.

3-13 VACATION OF PLAT

Any plat of record may be vacated in accordance with the provisions of the Section 15.1-481, et. seq. of the Code of Virginia (1950), as amended.

3-14 DEDICATION AND RESERVATION OF LAND

- 3-14.1** The subdivider shall dedicate to the Town of Remington all land required for public streets and alleys as provided for in this Ordinance. Regardless of dedication, all streets and alleys must meet the minimum design standards in this Ordinance.
- 3-14.2** Where the size of the subdivision warrants, the subdivider shall dedicate to the Town of Remington such land for parking lots, parks and playgrounds, as determined necessary to insure the health, safety, and general public welfare within the proposed subdivision. The size, location, and character of land dedicated or reserved shall be

determined by the Planning Commission after a joint consultation with the subdivider and in consideration of the following: purpose and intent of this Ordinance, the Zoning Ordinance, and the Comprehensive Plan.

Article 4 Subdivision Procedure

4-1 PRELIMINARY CONFERENCE, PRELIMINARY SKETCH

- 4-1.1** Before the preparation of a Preliminary Plat, a subdivider should confer with the Zoning Administrator relative to the details contained in this Ordinance, the Comprehensive Plan, the Zoning Ordinance, and other applicable plans and ordinances. The purpose of such a conference is to assure that the applicant is made fully aware of all the requirements and interpretations of existing plans and ordinances plus any amendments which are pending at the time of the subdivision plat preparation.
- 4-1.2** The subdivider may submit to the Zoning Administrator two copies of a preliminary sketch of the proposed subdivision prior to his preparation of engineered Preliminary and Final Plats. The purpose of such preliminary sketch is to permit the Zoning Administrator to advise the subdivider whether his plans in general are in accordance with the requirements of this Ordinance prior to any appreciable investment on the part of the subdivider.

4-2 PURPOSE OF PRELIMINARY PLAT

- 4-2.1** Any person proposing a subdivision of land under this Ordinance shall submit to the Zoning Administrator a Preliminary Plat showing the general design and layout of the area proposed to be subdivided. The purpose of this requirement is to enable the subdivider to ascertain whether his plans are in accordance with the provisions of this Ordinance and to obtain approval of his proposal for the development and construction of improvements.

4-3 PRELIMINARY PLAT TO BE SUBMITTED

- 4-3.1** Five (5) copies of the Preliminary Plat together with the preliminary street and utility plans shall be submitted by the subdivider to the Zoning Administrator at least ten (10) days prior to the scheduled meeting of the Planning Commission.
- 4-3.2** The Zoning Administrator shall promptly deliver copies thereof to Town or State officials as required, retaining the other copies for use.

4-4 PRELIMINARY PLAT REQUIREMENTS

- 4-4.1** The Preliminary Plat shall adhere to the following requirements.
- 4-4.2** It shall be legibly drawn and may be on more than one (1) sheet. The scale shall be one inch equals 100 feet.
- 4-4.3** It shall show the following information, except where waived by the Zoning Administrator:
- a. Date of plat and name of the surveyor or engineer preparing the same.
 - b. Scale.
 - c. Number of sheets comprising the plat.
 - d. North meridian, designated "true" or "magnetic", and direction oriented to the top of the sheet and each sheet comprising the plat shall be so oriented.

- e. Name and signature of owner.
- f. Name of Subdivision which shall not duplicate nor too closely approximate that of any existing subdivision in the Town or Fauquier County.
- g. Sources of data used in preparing the plat, particularly the deed book and page number of the last instrument in the chain of title.
- h. Names of all adjoining property owners and the location of their common boundaries together with zoning classifications and including the proposed subdivision.
- i. Historical buildings, structures and sites designated on the Virginia Historical Landmarks Commission Register.
- j. The boundary lines of the proposed subdivision and any of any larger tract of which the subdivision forms a part, shown on a reduced scale insert.
- k. All adjoining roads and streets with their numbers and/or names.
- l. Boundary lines and total acreage of the proposed subdivision and the acreage remaining in the original tract, if any. In case only a part of a tract of land is proposed for subdivision, the Zoning Administrator may require the Preliminary Plat to show a proposed future subdivision of such remaining acreage or a part thereof to make certain that proper orientation of future streets may be developed with the platted streets.
- m. Location of existing buildings within the subdivision within 200 feet thereof.
- n. Location and description of all existing monuments.
- o. Topographical contour lines, existing and finished, as required for approval of drainage and sewer facilities.
- p. Proposed locations, widths, and names of all streets.
- q. The approximate location, number, and the proposed use of all lots and other areas, including water courses, marshes, impoundments, lakes, and those areas to be used for parking, recreation, commercial purposes, or for public or governmental use, and existing utility installation.
- r. Proposed lot numbers and block letters.
- s. If the proposed subdivision consists of land acquired from more than one source of title, the outlines of the several tracts shall be included on the Preliminary Plat by broken lines and identification of such respective tracts shall be shown on the Preliminary Plat.

4-5 ITEMS TO ACCOMPANY PRELIMINARY PLAT

- 4-5.1** Items as described below shall accompany the Preliminary Plat at the time it is submitted to the Zoning Administrator.

- 4-5.2 A tentative proposal for providing each building lot with a safe water supply and an adequate means of sewerage in conformance with Town Standards.
- 4-5.3 Preliminary plans and specifications of any streets or public parking areas that are included in the subdivision and any special treatment which will be required in their construction, including the drainage system which will be required and in conformance with the standards of the Town of Remington.
- 4-5.4 A statement by the subdivider as to whether or not he proposes to dedicate or reserve land for public use or for the common use of future property owners in the subdivision and, if so, a statement giving an outline of the terms proposed and acreage involved. If private streets are involved, specific provisions for their maintenance shall be submitted.
- 4-5.5 A statement summarizing proposed restrictive covenants and reservations.
- 4-5.6 A check payable to the Treasurer to cover the required fees.

4-6 PLANNING COMMISSION TO ACT ON PRELIMINARY PLAT

- 4-6.1 The Planning commission 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 Ordinance, the Zoning Ordinance, and the Comprehensive Plan. The subdivider shall then be advised in writing 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 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 Planning Commission may require a bona fide estimate of the cost of improvements to be furnished by the subdivider.
- 4-6.2 The Planning Commission shall approve the Preliminary Plat if the plat has been properly drawn, all additional data requested by the Planning Commission is included, and the proposed subdivision conforms to the requirements and purposes of this Ordinance and the Comprehensive Plan. Otherwise, the Planning Commission shall disapprove the same (stating its reasons for such disapproval); or, if only minor changes are required for approval, approval subject to specified required revisions may be given by writing such requirements on the plat; or by placing a reference upon it to an accompanying statement; or an extended time may be given the subdivider for submission of revised plans.
- 4-6.3 Within ninety (90) days after submission of the Preliminary Plat to the Zoning Administrator and the items that are required to accompany such plat by the provisions of this Ordinance, the Planning Commission shall render a decision.

4-7 DISPOSITION OF PRELIMINARY PLAT AFTER ACTION

- 4-7.1 One (1) copy of the Preliminary Plat with the action of the Planning Commission noted thereon shall thereupon be returned to the subdivider, and an annotated copy shall be kept by the Planning Commission for comparison with future plats submitted by the subdivider.

4-8 NO GUARANTEE

- 4-8.1 Approval of the Preliminary Plat does not constitute a guarantee of approval of the Final Plat.

4-9 SIX MONTHS LIMIT

4-9.1 The subdivider shall not have more than six (6) months after receiving official notification concerning the Preliminary Plat to file with the Zoning Administrator a final subdivision plat in accordance with this Ordinance. Failure to do so shall make preliminary approval null and void. The Planning Commission may, for valid reasons and upon written request by the subdivider, grant an extension of this time limit.

4-10 FINAL PLAT TO BE SUBMITTED

4-10.1 The Final Plat shall be submitted to the Zoning Administrator at least ten (10) days prior to the scheduled meeting of the Planning Commission and shall be forwarded by the Zoning Administrator to the Planning Commission.

4-10.2 Six (6) copies of the Final Plat drawn in accordance with section 4-11 and two (2) copies of the Final Plat reduced in size to approximately eight (8) inches by fourteen (14) inches shall be submitted. Said copies shall be photographic tracings and shall be of semipermanent quality.

4-11 FINAL PLAT REQUIREMENTS

4-11.1 The Final Plat shall adhere to the following requirements.

4-11.2 The Final Plat shall be prepared by a surveyor or civil engineer, 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.

4-11.3 The Final Plat shall be substantially in accordance with the Preliminary Plat (together with any changes or additions required by the Planning Commission as a requirement for its approval), except that a Final Plat may include all or any part of the area covered by the Preliminary Plat.

4-11.4 The Final Plat shall be legibly and accurately drawn upon sheets having a size of 15 inches by 20 inches. The plat shall be drawn at a scale of 1 inch equals 100 feet. 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 several sheets join.

4-11.5 It shall also show the following details:

- a. A boundary survey.
- b. Location and dimensions of all lot and street lines and center lines of all streets, both within and adjoining the subdivision; names and widths of all streets; and boundaries of all easements, school sites, parks or other public areas.
- c. All dimensions shown in feet and decimals of a foot to the closest one-hundredth of a foot; and all bearings and degrees, minutes and seconds, to the nearest ten seconds.
- d. Curve data showing radius, delta and arc either at the curve or in a curve data table.
- e. Location and approximate bearing of all property lines intersecting the subdivision perimeter boundary.
- f. Number of each lot and letter or number of each block.

- 4-11.6** If any land or water areas are being dedicated or reserved for streets, alleys, parking space, or for other public use, or for the common use of future property owners of the subdivision, the Final Plat shall so state and indicate which.
- 4-11.7** The Final Plat shall show or have appended to it an unexecuted copy of a proposed certificate of Owner's Consent to Subdivision suitable for recording, containing a statement to the effect that the subdivision is with the free consent and in accordance with the desire of the owners, proprietors, trustees and lienholders thereof, as applicable, and setting forth in full all restrictive covenants, reservations and dedications applicable to the proposed subdivision.
- 4-11.8** The Final Plat shall provide on the first sheet space for:
- a. The surveyor's certificate, as to title.
 - b. The surveyor's certificate, as to monuments.
 - c. All restrictive covenants, or reference thereto.
 - d. Space for approval of by the Town Council.

A form for the above may be obtained from the Zoning Administrator.

4-12 DOCUMENTS TO ACCOMPANY FINAL PLAT

- 4-12.1** When delivered to the Zoning Administrator, all Final Plats shall be accompanied by the following:
- a. Water supply and sewerage handling facilities plan acceptable and in conformity with standards of the Town of Remington and that each building lot will have a safe water supply and an adequate means of handling sewerage.
 - b. Plans for all streets, street signs and drainage systems acceptable and in conformity with the standards of the Town of Remington.
 - c. A cash bond, certified check, or surety performance and payment bond, acceptable to the Town Attorney, with escalation clause the cost of the improvements to insure the completion of all improvements required under this ordinance.
 - d. A check payable to the Treasurer to cover all required fees.
 - e. An unexecuted copy of the proposed deed of dedication, accompanied by a certificate signed by the subdivider and duly acknowledged before some officer authorized to take acknowledgements of deed, to the effect that this is a true copy of the proposed deed of dedication which will be presented for recordation. Said copy shall:
 - (1) Contain a correct description of the land subdivided and state that said subdivision is with the free consent and in accordance with the desire of the undersigned owners, proprietors, and trustees, if any.
 - (2) Contain language such that when the deed is recorded it shall operate to transfer in fee simple to the Town of Remington such portion of the plated premises as is on such Plat designated and set apart for

public streets, alleys, or other public use and to grant such easements as are shown on such plat to create a public right of passage over same.

(3) Contain all protective or restrictive covenants, including those referred to in Section 4-11.8 (c) hereof and including provision for the maintenance of private streets, if any.

f. An Erosion and Sedimentation Control Plan approved by the appropriate agent in accordance with the Erosion and Sedimentation Control Ordinance.

4-13 TOWN COUNCIL TO ACT OR FINAL PLAT

4-13.1 Within sixty (60) days after any Final Plat and the accompanying documents required by this Ordinance shall have been received, the Planning Commission shall review the Final Plat and submit its recommendations to Town Council.

4-14.1 DISPOSITION OF PLAT AFTER FINAL APPROVAL

4-14.1 Following approval, two copies of the Final Plat measuring 15 inches by 20 inches and one copy of the reduced size plat shall be returned to the subdivider. One copy of the reduced size plat shall be submitted by the subdivider to the Clerk for recordation and one copy of the full size Final Plat shall be submitted to the same office for filing in the subdivision plat book. One additional copy of the full size plat shall be delivered to the Treasurer of the Town of Remington, and the remaining copies thereof, with the accompanying documents, shall be retained in the files of the Zoning Administrator. Any surety bond, approved by Town Attorney to be posted by the subdivider pursuant to the requirements of this Ordinance shall be delivered to the Zoning Administrator. The cash bond, or check, if any, shall be delivered to the Treasurer.

4-14.2 Following disapproval of a plat, all copies of the plat and accompanying documents shall be returned to the subdivider. The Zoning Administrator shall notify him in writing of the reasons for disapproval by Town Council.

Article 5 Site Development Plans

5-1 DEVELOPMENT OR LAND USE REQUIRING A SITE DEVELOPMENT PLAN

A site development plan is required and shall be submitted for the following:

- Any parking lot containing more than ten (10) spaces or any development in which automobile parking space is to be used by more than one establishment.
- Any use, special use permit use, or development in all Zoning Districts except single-family detached dwelling units. However a site plan in sufficient detail to determine compliance with the applicable standards and specifications of the Town of Remington may be required for the construction of single-family detached dwellings where any of the following conditions exist:
 - Where natural and storm water courses are located on the proposed site or where a proposed driveway or entrance intersects existing natural or storm water courses.
 - Where a cluster alternate design is proposed.
- When a change is proposed in a previously approved site development plan.
- When an existing residential use is proposed for change to a commercial, industrial, or multifamily residential use.
- All public and/or semi-public buildings and other uses involving a structure required to be reviewed by the Planning Commission under Section 15.1-456 of the Code of Virginia as amended.

5-2 SITE DEVELOPMENT PLAN - INFORMATION REQUIRED

Every site development plan, as hereafter provided shall contain the following information as appropriate:

- A boundary survey of the tract or site plan limit with an error of closure within the limit of one in ten thousand (10,000) related to the true meridian, and showing the location and type of boundary evidence except where a tract or site is a part of a subdivision of record.
- A certificate signed by the engineer or surveyor setting forth the source and title of the owner of the tract and the place of record of the last instrument in the chain of title.
- Existing and proposed streets and easements, their names, numbers, and widths; existing and proposed property lines; existing and proposed utilities of all types; water courses and their names; flood plain limits; owners, zoning and present use of adjoining tracts.
- Location, type and size of ingress and egress to the site.
- Location, type, size and height of all fencing, screening and retaining walls where required under the provisions of applicable ordinances.
- All off-street parking and parking bays, loading spaces, and walkways indicating type of surfacing, size, angle of stalls, width of aisles and a specific schedule showing the number of parking spaces provided and the number required in accordance with the Zoning Ordinance of the Town of Remington.

- Number of floor, floor area, height and location of each building and proposed general use for each building - if a multifamily residential building, townhouse or patio house, the number, size, and type of dwelling units shall be known.
- Front elevations shall be shown on all commercial, industrial, and multifamily developments, regardless of height.
- Existing and proposed water and sanitary sewer facilities indicating all pipe sizes, types and grades and where connection is to be made to an existing or a proposed central water and sewer system.
- Provisions for the adequate disposition of natural and storm water in accordance with the standard design criteria, standard specifications and standard details for storm drain and street construction for the Town of Remington and the standards of the Virginia Department of Transportation (VDOT), indicating location, sizes, types, and grades of ditches, catch basins, and pipes, and connection to the existing drainage systems.
- Provisions and schedules for the adequate control of erosion and sedimentation, indicating the proposed temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading and construction.
- Existing topography accurately shown with a maximum of two (2) foot contour intervals at a scale of not less than fifty (50) feet to the inch. The requirement for a contour map may be waived where existing grades are less than three (3) percent and spot elevations are provided.
- Proposed finished grading by contour supplemented where necessary by spot elevations.
- All horizontal dimensions shown on the site development plan shall be in feet and decimals of a foot to the closest one hundredth of a foot; and all bearings in degrees, minutes, and seconds to the nearest ten (10) seconds.
- A landscape design plan based upon accepted professional design layouts and principles as required by the Zoning Ordinance shall be submitted.

5-3 SITE DEVELOPMENT PLAN - PREPARATION PROCEDURE AND SPECIFIC ITEMS TO BE SHOWN

- Any person submitting a site development plan shall submit written proof of notification to all abutting property owners and owners of property immediately across the street from the proposed site. Notice sent by registered mail or certified mail to the last known address of such owner as shown on the current real estate tax assessment books of the Town of Remington shall be deemed adequate compliance with this requirement. The provision of notice shall be the responsibility of the owner or the applicant.

The notice shall state: the type of use, the date of submission, and the specific location of the proposed development, and the appropriate town office where the site plan may be viewed.

- Site development plan or any portion thereof, involving engineering, architecture, city planning, urban design, landscape architecture, or land surveying, will be prepared by persons qualified to do such work. Final site plans shall be certified by an architect or by an engineer or by a land surveyor within the limits of their respective licenses authorized to practice by the State of Virginia.
- The Zoning Administrator may waive the requirement for the certification of the site development plan or portions thereof by these professionals in those cases where no action proposed by the developer falls within

their professional purview; however, the person(s) principally responsible for the preparation of the site development plan shall sign said drawings, regardless of professional registration status.

- The site plan shall show the name and address of the owner or applicant, city or town, county, state, north point, date and scale of drawing and number of sheets. In addition it shall reserve a blank space for four (4) inches by four (4) inches in size on the plan face for the use of the approving authority.
- Site development plan shall be prepared to the scale of one (1) inch equals fifty (50) feet or larger; no sheet shall exceed forty-two (42) inches in width.
- The site development plan may be prepared on one or more sheets. If prepared on more than one sheet, match lines shall clearly indicate where the several sheets join. All information required under Section 5-2 need not be included on the basic plan but may be submitted on additional sheets which may be of varying sizes.
- Six (6) clearly legible blue or black line copies of a site development plan shall be submitted to the Zoning Administrator for the Town of Remington.
- Profiles shall be submitted for all sanitary and storm sewers, streets and curbs adjacent thereto, and other utilities, and shall be submitted on standard federal aid plan and profile sheets. Special studies as required may be submitted on standard cross section paper and shall have a scale of one (1) inch equals fifty (50) feet horizontally and one (1) inch equals five (5) feet vertically. No sheet width shall exceed forty-two (42) inches. Flood plain limit studies required shall be shown on profile sheets with reference to properties affected and center line of stream.
- A minimum of two (2) datum references for elevations used on plans and profiles and correlate, where practical, to U.S. Geological Survey datum.

5-4 MINIMUM STANDARDS AND IMPROVEMENTS REQUIRED

- All improvements required by this Ordinance shall be installed at the cost of the owner of applicant. Where cost sharing or reimbursement agreements between the Town of Remington and the owner or applicant are appropriate, the same shall be entered into by formal agreement prior to final site development plan approval, and shall be subject to the Virginia Department of Transportation (VDOT) review and acceptance where appropriate. Where specifications have been established by the Town of Remington, by the Virginia Department of Transportation (VDOT) for streets and related facilities, or by this Ordinance for other facilities and utilities, such specifications shall be followed. The owner or applicant's performance bond shall not be released until construction has been inspected and accepted by the authorized engineer or Zoning Administrator for the Town and by the Virginia Department of Transportation (VDOT) where appropriate.
- Prior to approval of any site plan there shall be executed by the owner or applicant an agreement to construct required physical improvements located within public rights-of-way or easements or connected to any public facility, together with a performance and payment bond with surety acceptable to the Town in the amount of the estimated cost of the Town of Remington. The aforesaid agreement and bond or condition shall be provided for completion of all work covered thereby within the time to be determined by the Zoning Administrator, which time may be extended by the Town Council upon written application by the owner or applicant, signed by all parties (including sureties) to the original agreement. The form of all bonds and surety shall be subject to the approval of the Town Attorney.
- All streets and highway construction standards and geometric design standards shall be in accordance with Remington's town specifications and Virginia Department of Transportation (VDOT) specifications and the

subdivision and Land Development Ordinance of Remington, Virginia, unless such geometric design standards are specifically modified by the governing body upon recommendation of the Zoning Administrator. The governing body may modify street geometric design standards for local, collector, and minor loop streets provided approval or modification is obtained from the Virginia Department of Transportation (VDOT) where applicable.

- Adequate easements shall be provided for drainage and all utilities. Minimum easement width shall be ten (10) feet. Where multiple structures or pipes are installed, the edge of the easement shall be five (5) feet clear of the outside pipes. Where easements do not follow the established lot lines, nearest edge of any easement shall be a minimum of five (5) feet from any building.
- Adequate drainage for the disposition of storm and nature waters both on and off-site treatment shall be provided. The extent and nature of both on-site and off-site treatment is to be in accordance with the town specifications and Virginia Department of Transportation (VDOT) specifications.
- Provisions shall be made for all necessary temporary and permanent erosion and sedimentation control measures, both on-site and off-site. The extent of the control measures, both on-site and off-site, are to be in accordance with the Erosion and Sediment Control Handbook in effect within the Town of Remington.
- Adequate provision shall be made by the owner or applicant to all utilities both on-site and off-site. Design requirements shall be established by the owner or applicant in conference with the Zoning Administrator for the Town.

Percolation tests and/or other methods of soil evaluation deemed necessary by the Zoning Administrator for the Town shall be the responsibility of the owner or applicant.

When central water and/or sewer systems having sufficient capacity either exist or are proposed within a reasonable distance of the area of the site development plan, provisions shall be made to connect to the system.

- Landscape planting, screening, fences, walks, curbs, gutters and other physical improvements as required by this Ordinance or other regulations of the Town of Remington, Virginia, and the regulations of the Virginia Department of Transportation (VDOT) shall be provided by the owner or applicant .
- One set of approved plans, profiles, and specifications shall be at the site at all times when work is being performed.
- Upon completion of all required improvements shown on the approved site development plan, the owner or applicant shall submit to the Zoning Administrator for the Town of Remington, a vellum or sepia transparency plus three (3) copies of the completed as-built site plan, or building location plat certified by an engineer, architect or surveyor. The "as-built site plan" shall be submitted at least one week prior to the anticipated occupancy of any building for the review and approval by the Zoning Administrator for conformity with the approved site plan and the ordinances and regulations of the Town of Remington and state agencies.
- The approval of the site development plan or the installation of the improvements as required in this Article shall not obligate the Town to accept improvements for maintenance, repair or operation thereof. Such acceptance shall be subject to the Town, County and/or State regulations, where applicable, concerning the acceptance of each type of improvement.

5-5 PROCEDURES FOR PROCESSING SITE DEVELOPMENT PLANS

- Review of a final site development plan by the Planning Commissioner shall occur within sixty (60) days of filing of the required documents, unless abnormal and unusual circumstances exist, in which case the procedural time may be extended. The Planning Commission shall submit its recommendation to Town council.
- No public easement, right-of-way, or public dedication shown on any site development plan shall be accepted for dedication for public use until such proposed dedication shall first be approved by the Town Council and evidence of such approval is shown on the instrument to be recorded.
- No zoning permit shall be issued in any area covered by the site development plan except to the provisions of this Ordinance and the duly approved site development plan.
- The Town, County and State agencies responsible for the supervision and enforcement of this Ordinance shall periodically inspect the site during the period of construction.
- Upon compliance with the terms of this Ordinance and the satisfactory completion of construction, the Zoning Administrator for the Town of Remington shall furnish a certificate of approval. Certificates of approval, upon ratification by the Governing Body, shall release all of the bonds which may have been furnished.
- No change, revision, or erasure shall be made on any pending or final site development plan nor on any accompanying data sheet where approval has been endorsed on the plat or sheets unless authorization for such changes is granted in writing by the approving body or the Zoning Administrator.
- Any site development plan maybe revised, provided request for revision shall be filed and processed in the same manner as the original site development plan.

Article 6 Design Standards

6-1 Suitability of Land

- 6-1.1** Land encumbered by any of the following characteristics may be deemed by the Planning Commission as being unsuitable for subdivision or development.
- a. Land lying within a 100 year flood area designated by the Flood Insurance Study and accompanying maps as completed by the U .S. Department of Housing and Urban Development, Federal Insurance Administration.
 - b. Land having physical characteristics, such as poor drainage, excessive slope, etc., the subdivision of which would increase danger to health, life, or property or aggravate erosion or flood hazard.
- 6-1.2** The Planning Commission may recommend the subdivision or development of any land which falls under 6-1.1 provided that:
- a. Sufficient land is available in each lot to provide a building site free from flood or other danger.
 - b. The developer installs land preservation improvements as may be required to prevent increased danger to health, life or property and to render the land safe and otherwise acceptable for development.
 - c. The requirements of Section 6-7 of this ordinance are met.
- 6-1.3** In connection with this section, the Planning Commission may require the subdivider or developer to furnish topographical maps, elevations, flood profiles and other relevant data as necessary.

6-2 STREETS

- 6-2.1** Streets shall connect with existing streets and shall provide access to adjoining subdivisions insofar as practical determined by the Planning Commission.
- 6-2.2** Streets shall intersect at as near right angles as practical. Offset or jogs shall be avoided. No street shall intersect another street at an angle of less than 80 degrees.
- 6-2.3** Where the Planning Commission deems it desirable or necessary to provide access to adjacent tracts, proposed streets in the subdivision shall be extended to the boundary lines of such adjacent tracts. Temporary turnaround shall be provided at the ends of such streets, by means of temporary easements or otherwise.
- 6-2.4** Where the adopted Comprehensive Plan indicates a proposed right-of-way greater than that existing along the boundaries of a subdivision or lot, such additional right-of-way shall be dedicated for public use.
- 6-2.5** Where lots in a subdivision abut on one side of an existing public right-of-way, the subdivider or developer shall be required to dedicate such additional, land so that the distance as measured from the center line of the right-of-way to the subdivision property line shall be one-half of the required width of the right- of-way. The width shall be as required by the Town of Remington or as required by the Virginia Department of Transportation (VDOT), where applicable.
- 6-2.6** Half-streets along the boundary of land proposed for subdivision or development shall not be permitted.

- 6-2.7** 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, however, shall the names of other proposed street 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 subdivision plats and site development plans and shall be approved by the Town Council. Names of existing streets shall not be changed except by approval of the Town Council.
- 6-2.8** Streets shall have a minimum right-of-way of 50 feet. Alleys, when and if provided, shall have a minimum width of 20 feet.
- 6-2.9** Dead-end streets (cul-de-sacs) designed to have one end permanently closed, shall be no longer than 700 feet and shall be provided with a permanent turn-around terminal, the diameter of which shall be a minimum of 100 feet.
- 6-2.10** All streets and their drainage facilities shall be designed in compliance with the requirements of the standard design criteria, standard specifications and standard details, storm drain and street construction, for the Town of Remington or the Virginia Department of Transportation (VDOT), where applicable.

6-3 LOTS

- 6-3.1** 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 Ordinance. Lots shall not contain peculiarly shaped elongations solely to provide necessary square footage of area which would be unusable for normal purpose.
- 6-3.2** Excessive lot depth in relation to lot width shall be avoided. A ratio of depth to width of two to one shall be considered optimum.
- 6-3.3** Except as specifically provided in the Zoning Ordinance, each lot shall abut on a street dedicated by the subdivision plat or an existing dedicated public street except that private streets may be permitted where an acceptable arrangement for maintenance is provided, either through the creation of a condominium association or through the creation of a homeowners association with an appropriate provision to be included in the deed of each parcel to be sold. Such private streets shall be clearly labeled "Private Street" on both subdivision plats and site development plans. For a design approved under the provisions of the Zoning Ordinance, lots may be permitted to front on common parking areas.
- 6-3.4** Corner lots shall have extra width so that the setback and yard lines required by the Zoning Ordinance are met.
- 6-3.5** Side lines of lots shall be approximately at right angles or radial to the right-of-way line.
- 6-3.6** 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
- 6-3.7** 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. Said deed is to be deposited with the Clerk of the Circuit Court of Fauquier County and held with the Final Plat until the subdivider is ready to record same, and they both shall then be recorded together.
- 6-3.8** In the case of lots for commercial, industrial, or other nonresidential use, the lot area, width, depth, shape, and orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated, and in accordance with the requirements of the Zoning

Ordinance and any other applicable ordinance; and shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

6-4 BLOCKS

6-4.1 Generally, the maximum length of blocks shall be twelve hundred (1,200) feet, and the minimum length of blocks upon which lots have frontage shall be four hundred (400) feet.

6-4.2 Blocks shall be wide enough to allow two tiers of lots of minimum depth, unless prevented by topographical conditions or size of the property.

6-4.3 Where a proposed subdivision will adjoin a primary thoroughfare or collector street, the Planning Commission may require that the greater dimension of the block shall front or back upon such street to avoid unnecessary ingress or egress.

6-5 EASEMENTS

6-5.1 Easements for utilities shall be provided in the location and to the width designated by the Town Council after receiving recommendations from the appropriate utility companies. In no case shall easements be less than ten (10) feet.

6-5.2 Where a subdivision is traversed by a stream or other natural drainage way, the Town Council may require dedication of a suitable right-of-way or easement for storm water drainage, or to construct adequate water drains.

6-6 PERMITS

6-6.1 Where it is necessary to place public utilities or facilities within public streets or rights-of-way, a permit shall first be obtained from the Zoning Administrator.

6-7 SPECIAL FLOOD PLAIN REQUIREMENTS

6-7.1 Sanitary Sewer Facilities

All new or replacement sanitary sewer facilities and private package sewage treatment plants (including all pumping stations and collector systems) shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into the flood waters. In addition, they should be located and constructed to minimize or eliminate flood damage and impairment.

6-7.2 Water Facilities

All new or replacement water facilities shall be designed to minimize or eliminate infiltration of flood waters into the system, and be located and constructed to minimize or eliminate flood damages.

6-7.3 Drainage Facilities

All storm drainage facilities shall be designed to convey the flow of surface waters without damage to persons or property. The system shall insure drainage away from buildings and on-site waste disposal sites. The Town of Remington may require a primary underground system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.

6-7.4 Utilities

All utilities such as gas lines, electrical and telephone systems being placed in flood-prone areas should be located, elevated (where possible) and constructed to minimize the chance of impairment during a flooding occurrence.

6-7.5 Streets and Sidewalks

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.

Article 7 Required Improvements

7-1 RESPONSIBILITY FOR REQUIRED IMPROVEMENTS

7-1.1 Subdivision plats and site development plans shall conform to the requirements of this Ordinance. All improvements shall be installed at the cost of the developer. No person shall commence the construction of any required improvement without obtaining permits as required.

7-2 MONUMENTS

7-2.1 Permanent reference monuments shall be placed in the center line of all streets at all points of curvature, points of tangency, points of compound curve, reverse curve and intersections of streets and alleys.

Such permanent reference monuments shall be of stone or reinforced concrete, at least 24 inches long and 4 inches square with a suitable center point and; shall be set flush with the finished grade.

7-2.2 Solid metal pins or steel pipe not less than 3/4 inches in diameter and at least 24 inches long shall be set in place flush with the finished grade at the following points:

- a. At all intersections of streets and alleys with the subdivisions boundary lines.
- b. At all points and boundary lines where there is a change in direction or curvature.
- c. At all lot corners.

7-2.3 All monuments shall be inspected and approved by the Town before any improvements are accepted.

7-3 CURBS, GUTTERS AND SIDEWALKS

7-3.1 Curbs, gutters, and sidewalks shall be required in all subdivisions, however, sidewalks may be waived in subdivisions with a density of less than eight (8) dwelling units per acre.

7-4 DRAINAGE

7-4.1 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 and across all streets and adjoining property. Such drainage system shall be in compliance with the regulations of the standard design criteria, standard specifications and standard details for watermain, sanitary sewer, storm drain and street construction, for the Town of Remington or the Virginia Department of Transportation (VDOT), where applicable.

7-5 STREET IDENTIFICATION SIGNS

7-5.1 Street identification signs shall be installed as specified in standard design criteria, standard specifications and standard details for street construction, for the Town of Remington.

7-6 LOCATION OF UTILITY STRUCTURES

7-6.1 All utility poles or underground conduits for electric power lines or telephone lines shall be placed in easements provided along the rear or side lot lines, whenever possible.

7-6.2 All gas, water and sewer mains shall be installed underground. Subdividers and developers should install electric and telephone lines underground where feasible. All utilities of this nature shall be installed in accordance with the prevailing standards and practices of the utility or other companies providing such services, except where it is demonstrated to the satisfaction of the Zoning Administrator that underground installations herein required are not feasible.

7-7 WATER SERVICE

7-7.1 Public water service shall be extended to all lots within the subdivision by the subdivider or developer. Notwithstanding this, individual wells approved by the Health Department may be acceptable where permitted by the zoning ordinance.

7-7.2 In all subdivisions being serviced by the public water supply system, an acceptable system of fire hydrants shall be installed.

7-7.3 The water facilities shall be in compliance with regulations of standard design criteria, standard specifications and standard details for watermains for the Town of Remington.

7-8 SEWERAGE SERVICE

7-8.1 Public sewerage facilities shall be extended by the subdivider or developer to all lots. Notwithstanding this, individual septic tanks with approval, of the Health Department may be acceptable only where permitted by the zoning ordinance.

7-8.2 The sewerage facilities shall be in compliance with regulations of standard design criteria, standard specifications, and standard details for sanitary sewers for the Town of Remington.

7-9 PRO RATA SHARE OF IMPROVEMENTS

7-9.1 Where it is the desire of the Town, based upon the Comprehensive Plan, that any public facility including streets, water facilities and sewerage facilities within a subdivision should be designed and constructed in excess of what is required to serve that particular subdivision, the subdivider or developer shall be required to provide for such facility; however, the cost of such facility shall be pro rated so that the subdivider or developer shall bear only the cost of what would actually be required to serve said subdivision, with the Town and/or other benefited landowners bearing the remainder of the cost.

7-9.2 The improvements shall be as specified in the Comprehensive Plan or as required by the Town Council in light of the Comprehensive Plan. In either case, they should be consistent with standard design criteria, standard specifications and standard details for watermain, sanitary sewer, storm drain, and street construction for the Town of Remington.

7-9.3 Where a general sewer and drainage improvement program has been adopted by the Town for a defined area and wherein is located the land to be subdivided, the subdivider, or developer shall pay a pro rata share of the cost of providing reasonable and necessary sewerage and drainage facilities, located outside the property limits of the land owned by him but necessitated or required, at least in part, by the construction or improvement of his subdivision or development.

7-9.4 The method of computing a subdivider or developers pro rata share of such cost shall be on a directly proportional basis, based on the estimated contribution of runoff or sewerage of that given subdivision or development to the estimated cost of the total improvement for the defined area. The basis for computing the contribution of runoff or sewerage and cost shall be consistent with standard design criteria, standard

specifications and standard details for watermain, sanitary sewer, storm drain, and street construction for the Town of Remington.

- 7-9.5** Each such payment must be made prior to the approval of the Final Plat and these funds shall be expended only for the construction of those facilities for which the payment was required. Until expended, these funds shall be held in an interest-bearing account for the benefit of the subdivider. In lieu of such payment, bond may be posted in accordance with 4-12.1.(c) with surety satisfactory to it conditioned on payment at commencement of such construction.

Article 8 Effectual Clauses

8-1 SEVERABILITY OF ORDINANCE

8-1.1 If any section, clause, sentence, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

8-2 EFFECTIVE DATE

8-2.1 This Subdivision Ordinance of the Town of Remington, Virginia shall be effective at and after 12:01a.m., July 1, 1988.

8-2.2 This Ordinance shall apply to all subdivisions proposed after the effective date given in section 8-2.1 above.

8-2.3 This Ordinance was duly considered, following required public hearings and was adopted by the Town Council of Remington, Virginia.

ADOPTED THIS 13TH DAY OF JUNE 1988.