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## **5 DETAILS OF PLAT REQUIREMENTS**

### **5-A EXPLORATORY SKETCH PLANS**

- 5-A-1 The Exploratory Sketch Plan of a proposed subdivision shall be clearly and legibly drawn to a scale of one inch equals not more than two hundred feet.
- 5-A-2 Where the Exploratory Sketch Plan shows the proposed subdivision of only a portion of the subdivider's total property, the proposed subdivision shall be so located and related to the remainder of said property.
- 5-A-3 The Exploratory Sketch Plan shall contain at least the following applicable data, legibly drawn to scale, but not necessarily showing precise dimensions:
- 5-A-3-(a) Approximate tract boundaries and existing and proposed zoning districts accurately labeled.
  - 5-A-3-(b) North point, scale, and date, including month and year the original drawing was completed, and the month, day, and year the original drawing was revised.
  - 5-A-3-(c) Significant topographic and physical features, such as, but not limited to:
    - Water Courses
    - Swamps or Marshes
    - Wooded Areas
    - Flood Plains
    - Natural Swales
  - 5-A-3-(d) Existing streets, utility and drainage easements within the tract and adjacent to it.
  - 5-A-3-(e) Sketch Vicinity Map showing relationship between the subdivision and surrounding area.
  - 5-A-3-(f) Site data:
    - Acreage in Tract
    - Average Lot Size
    - Approximate Number of Lots
    - Acreage in Parks and Other Land Usage
  - 5-A-3-(g) Name and address of owner and/or subdivider and registered civil engineer, certified land surveyor, or land planner, if any, responsible for the preparation of the Exploratory Sketch Plan.

### **5-B PRELIMINARY PLAT**

- 5-B-1 The Preliminary Plat shall be clearly and legibly drawn to a scale of one inch equals not more than two hundred feet.
- 5-B-2 The Preliminary Plat shall contain at least the following applicable data:
- 5-B-2-(a) The scale, north point and date.

- 5-B-2-(b) The proposed name of the subdivision (the name shall not duplicate nor too closely approximate that of any existing subdivision in this or neighboring counties).
- 5-B-2-(c) The name, address, and signature of the owner of record, the name and address of the subdivider, and the name and address of the engineer or surveyor preparing the plat.
- 5-B-2-(d) Number of sheets comprising the plat.
- 5-B-2-(e) Magisterial District, County, and State.
- 5-B-2-(f) Sources of data used in preparing the plat, including, but not limited to, plats of record and the deed book and page number of the last instrument in the chain of title.
- 5-B-2-(g) Names of all adjoining property owners.
- 5-B-2-(h) Boundary survey or existing survey of record.
- 5-B-2-(i) Zoning Requirements: A notation setting forth the zoning district, the building setback requirements for principal structures from front, side and rear lot lines, and the purpose, residential or otherwise, for which the proposed lots are to be used. Such notation shall further set forth reference to an outline of any variance, special exception, special use permit, and/or conditions established pursuant to conditional zoning with respect to the subject property.
- 5-B-2-(j) Notation for the provision of street trees in the Residential zoning district.
- 5-B-3 The Preliminary Plat shall show the location of the proposed subdivision by an insert vicinity map drawn to a scale of one inch equals not more than two thousand feet and indicating thereon:
  - 5-B-3-(a) The boundary lines of the proposed subdivision and of any larger tract of which the subdivision forms a part.
  - 5-B-3-(b) All adjoining roads and streets with their numbers and/or names.
  - 5-B-3-(c) All subdivisions, town boundary lines, and other landmarks, if any, within one mile.
- 5-B-4 The Preliminary Plat shall show the following:
  - 5-B-4-(a) Boundary lines and total acreage of the proposed subdivision, and the acreage remaining in the original tract, if any. A proposed future subdivision of the acreage remaining in the original tract shall be shown on the Preliminary Plat including the anticipated boundaries of the future subdivision and the anticipated street locations. In subdivisions to be developed in sections, the plat submitted shall comply with provisions of Section 9-D of this Ordinance.
  - 5-B-4-(b) Location of existing buildings within the subdivision and within 200 feet thereof.
  - 5-B-4-(c) Location and width of each proposed street, easement, including utilities and drainage easements, parking area, or other public or private right-of-way within and abutting the subdivision. Location and width of all adjoining roads and streets with their names and/or numbers.

- 5-B-4-(d) Lots: All proposed lot lines showing dimensions, total number of lots, proposed block and lot numbers, area of each lot.
- 5-B-4-(e) The proposed building restriction lines, shown as dashed lines and labeled as such.
- 5-B-4-(f) All applicable platting requirements of the Virginia Department of Transportation in connection with each proposed street and public right-of-way.
- 5-B-4-(g) Location and size in acres of land, if any, to be dedicated or reserved for public use, or for the common use of future property owners in the subdivision.
- 5-B-4-(h) Location and description of all existing monuments.
- 5-B-4-(i) Utilities, existing and proposed. Appropriate easements for the placement of all proposed utilities underground shall be required pursuant to Section 8-G of this Ordinance.
- 5-B-4-(j) Location of all pertinent natural and historical features and landmarks including:
1. Perennial streams and springs, intermittent streams, and other surface water features as identified by the U.S. Geological Survey;
  2. Sinkholes as identified by the Soil Survey of the U.S. Soil Conservation Service and/or confirmed by on site inspection;
  3. The 100 year flood plain of Roseville Run and Page Brook as identified by a professional engineer;
  4. Major land cover, including general locations of wooded areas or individual trees, within 100 feet of perennial streams and springs and 50 feet of intermittent streams;
- 5-B-4-(k) If extensive changes of topography are contemplated, a plan showing the changes proposed.
- 5-B-4-(l) Reference to and outline of proposed deed covenants, a copy of which shall accompany the Preliminary Plat. In the event any lot, or lots, are to be served by one or more private access easements, the reference to and outline of proposed deed covenants shall include a statement that such private access easements are not a part of any public road system and that at no time will the Town of Boyce or the Virginia Department of Transportation accept responsibility for the construction, upgrading and/or maintenance of such easements. Before any future request for the acceptance of such easements for maintenance as part of the Secondary System of State Highways, such easement or easements shall be made to comply with the prevailing Subdivision Street Requirements of the Virginia Department of Transportation, or to another standard deemed acceptable by such Department, at no cost to funds administered to it.
- 5-B-4-(m) Topographic map on a scale of one inch equals not more than two hundred feet, and contour intervals of five feet or less showing all the area covered by the subdivision.
- 5-B-4-(n) Location of all required street trees and a statement regarding the maintenance and replacement of such trees.

- 5-B-5 Items to Accompany Preliminary Plat
- 5-B-5-(a) Statement by the subdivider acknowledging that any topographic studies or other requirements of the Health Official and/or Commission, in addition to and pursuant to Article 6, Section K, will be carried out at the expense of the subdivider
- 5-B-5-(b) If it is proposed to dedicate or reserve land (other than for streets) and private access easements 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 acreage involved.
- 5-B-5-(c) If it is proposed that access to any lots will be served by private access easement, a copy of proposed restrictive covenants stating the terms and provisions for construction and maintenance of such easements. These covenants shall further state that such easements are not a part of any public road system and that at no time will the Town of Boyce or the Virginia Department of Transportation accept responsibility for construction, upgrading and/or maintenance of such easements. Before any future request for the acceptance of such easements for maintenance as part of the Secondary System of State Highways, such easement or easements shall be made to comply with the prevailing Subdivision Street Requirements of the Virginia Department of Transportation, or to another standard deemed acceptable by such Department, at no cost to funds administered by it.
- 5-B-5-(d) Critical Environmental Areas and Common Open Space (CEA/COS) Management Plan. The CEA/COS Management Plan shall set forth the design and management of critical environmental areas and any common open space areas, including covenants, agreements or other specific documents, showing the ownership, method of maintenance, and utilization of those areas within the subdivision.
- 5-B-5-(e) Consumer Disclosure Statement
1. Every application for subdivision of land shall include, as a part of said application, a Consumer Disclosure Statement provided, however, that this requirement may be waived or modified in whole or in part by the Zoning Administrator where he/she does not deem such Statement to be material. Unless otherwise modified by the Zoning Administrator, the Consumer Disclosure Statement shall include the following:
    - a. The name and address of each person having a beneficial interest in the land proposed to be subdivided and the extent of such interest.
    - b. The state of formation and the name and address of the person upon whom legal service may be made, if a corporation, trust, partnership, unincorporated association, or other form or organization has a beneficial interest in said property.
    - c. A statement of the condition of the title to the land comprising the subdivision, including all encumbrances, deed restrictions, covenants applicable thereto, and including a reference to all deeds or other instruments by which the current owner acquired title to the property.
    - d. A statement as to how consumers purchasing land in the subdivision will be protected with respect to any encumbrances on the property.
    - e. A statement of the means and the present condition of access to the property and to lots within the proposed subdivision from a public road. If such access from a public road is served by an existing and otherwise legal private road, a statement of the terms and provisions for maintenance of such road, including a statement that at no time will the Town of Boyce or the Virginia Department of Transportation accept responsibility for the upgrading and/or maintenance of such road. If any lots within

the proposed subdivision are to be served by one or more private access easements, a statement of the terms and provisions setting forth responsibility for construction and maintenance of such easements, including a statement that at no time will the Town of Boyce or the Virginia Department of Transportation accept responsibility for construction, upgrading, or maintenance of such private access easements.

- f. A statement of the availability of sewage disposal facilities, water, electricity, gas, telephone, and fire and police protection, with an estimate of the cost of such to consumers purchasing property in the subdivision.
  - g. A statement of the nature of improvements to be made to the property by the subdivider for the benefit of the purchasers, and the estimated schedule for completion of said improvements.
  - h. Such other information or documents, including financial information, as the Commission or Council may require as being reasonably necessary or appropriate for the protection of consumers.
  - i. Where appropriate, copies of covenants, contracts, or other writings whereby provision is made for supplying common necessities and maintaining common areas after development is completed.
  - j. Representations made in the Consumer Disclosure Statement shall constitute covenants running to the benefit of purchasers in the subdivision and adjacent landowners and shall be enforceable by such persons.
2. The Commission may require the subdivider to provide additional information or amplification with respect to the Statement, whether or not initially considered material by the Zoning Administrator, where the Commission considers such to be material.
3. The Consumer Disclosure Statement shall be recorded with and shall be considered part of the subdivision plat. The sellers of property, described by a subdivision plat, shall provide a copy of the Statement to all purchasers.

## **5-C RECORD PLAT**

- 5-C-1 The Record Plat shall be prepared by a surveyor or engineer, duly licensed by the Commonwealth of Virginia. This person shall endorse upon such plat a certificate signed by him/her setting forth the source of title of the land subdivided, and the place of record of the last instrument or instruments in the chain of title.
- 5-C-2 The Record Plat shall be in accordance with the approved Preliminary Plat (together with any changes or additions required by the Planning Commission as a condition for its approval).
- 5-C-3 In addition to the requirements of the Preliminary Plat, the Record Plat shall include the following:
- 5-C-3-(a) The original tracings shall be legibly and accurately drawn in black india ink with a margin of one-half inch outside ruled borderlines.

- 5-C-3-(b) The plat shall be drawn at a scale of one inch equals not more than 100 feet for any subdivision having lots less than three acres in area, or at a scale of one inch equals not more than two hundred feet for any subdivision having lots of three acres or more in area. The Commission may, at its discretion, permit different suitable scales for plats of dedication or other special plats.
- 5-C-3-(c) 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.
- 5-C-3-(d) Location of water, sanitary sewer, and storm sewer systems
- 5-C-3-(e) Accurate locations and dimensions of all lot and street lines and center lines of all streets, both within and adjoining the subdivision, together with the names and width of all such streets.
- 5-C-3-(f) Boundaries of all easements, school sites, parks or other public areas.
- 5-C-3-(g) Building setback lines shown as dashed lines with dimensions to front property line along each street, and length of setback line within each lot.
- 5-C-3-(h) All dimensions shown in feet and decimals of a foot to the closest 1/100 of a foot; and all bearings in degrees, minutes and seconds to the nearest 10 seconds.
- 5-C-3-(i) The data for all curves shall be shown in detail at the curve or in a curve data table containing the following: Radius, delta, arc, tangent, chord and chord bearing, including bearings and distances of corners to the nearest recorded property corners or monuments.
- 5-C-3-(j) If any land is being dedicated or reserved for streets, easements, parking space, septic drainfield areas, or for public or private use, or for the common use of future property owners of the subdivision, the Record Plat shall so state and indicate which.
- 5-C-3-(k) The Record Plat shall contain a correct description of the land being subdivided and a statement to the effect that the said subdivision is with the free consent and in accordance with the desire of the undersigned, executed by the owners or trustees of the property, and shall be duly acknowledged in accordance with Section 15.2-2224 of the Code of Virginia.
- 5-C-3-(l) The Record Plat shall provide space, preferably in the lower right hand corner, and contain suitable lettering for:
1. The surveyor's certificate, as to title.
  2. The surveyor's certificate, as to monuments.
  3. All restrictive covenants, or outline of and reference thereto, in accordance with Section 5-B-4-(n) of this Ordinance.
  4. The owner's certificate.
  5. Certificate of approval of the Zoning Administrator.
  6. Certificate of approval by the Planning Commission.
  7. Certificate of approval signed by the Health Official evidencing conformity with the requirements of the Health Department with respect to individual on-site subsurface septic systems and potable water supply systems, as applicable.

5-C-4 Documents to Accompany Record Plats

When delivered to the Zoning Administrator, the Record Plat shall be accompanied by the following documents:

- 5-C-4-(a) Certificate signed by the Clarke County Treasurer and Boyce Town Treasurer evidencing payment of all applicable taxes.
- 5-C-4-(b) A certificate signed by an authorized official of the Clarke County Sanitary Authority stating that the performance bond or other acceptable surety referred to in the following Section 5-C-4-(c) is adequate to insure the installation of such water or sewerage facilities in a manner which will satisfy the requirements of both the County Health Department and the Sanitary Authority, as applicable.
- 5-C-4-(c) If all improvements required under the provisions of this Ordinance are not completed, a cash bond, or other surety acceptable to the Town Council, or in lieu thereof, certification from the applicable federal, state or local political subdivision, department, or agency evidencing the acceptance of satisfactory surety as required by Section 8-B.
- 5-C-4-(d) Certificate signed by the Town Engineer that all streets, parking areas, street signs, and drainage systems required, if already constructed by the subdivider, are approved as being in conformance with the Record Plat and requirements of this Ordinance; or, if they are not yet constructed, that the surety performance bond or certified check referred to in the preceding Section 5-C-4-(c) is adequate to guarantee satisfactory and acceptable installation thereof within a designated reasonable time.
- 5-C-4-(e) Check payable to the Treasurer of Clarke County to cover fees required.
- 5-C-4-(f) 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 acknowledgments of deeds, to the effect that this is a true copy of the proposed deed of dedication which will be presented for recordation. Said deed of dedication 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, and the undersigned proprietors and trustees, if any.
  2. Contain language such that when the deed is recorded, it shall operate to transfer in fee simple to Clarke County or to other applicable political subdivisions, departments, or agencies such portion of the platted premises as on such plat is set apart for public streets, easements, or other public use, and to create a public right of passage over the same, and that all such dedicated rights-of-way are guaranteed and are unrestricted and unencumbered. This provision shall not apply to any private access easement.
  3. Contain all protective or restrictive covenants, including those covenants required, pursuant to Section 4-G-4 where the Preliminary Plat has been conditionally approved.
- 5-C-4-(g) In cases where land or facilities are to be dedicated to, and held in perpetuity by, a homeowner's association, copies of all approved homeowner's association documents shall be submitted and retained in the files of the Commission.

5-C-4-(h) In the event of any subdivision of five or more lots, a copy of approved sedimentation and erosion control measures proposed on advice by a designated agent of the Lord Fairfax Soil and Water Conservation District.