

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE BOARD MEETING ROOM OF THE ADMINISTRATION BUILDING, DINWIDDIE, VIRGINIA ON THE 19TH DAY OF OCTOBER, 1983 AT 8:00 P.M.

PRESENT: STEVE WEBER, CHAIRMAN ELECTION DISTRICT #2
G.S. BENNETT, JR., VICE-CHAIRMAN ELECTION DISTRICT #1
G.E. ROBERTSON, JR. ELECTION DISTRICT #2
M.I. HARGRAVE, JR. ELECTION DISTRICT #3
A.S. CLAY ELECTION DISTRICT #4

L.G. ELDER COUNTY ATTORNEY
C.L. MITCHELL SHERIFF

IN RE: INVOCATION & PLEDGE OF ALLEGIANCE

Boy Scout Troop #916, with their Scout Master, Mr. Major Jones, delivered the Invocation and led the Pledge of Allegiance. The troop consists of the following members: Lee Allison, Paul Parker, Buzz Wells, Harry Grissom, Tripp Marable and Major Jones III (who is a member of Pack #917).

IN RE: MINUTES

Upon motion of Mr. Hargrave, seconded by Mr. Bennett, Mr. Hargrave, Mr. Bennett, Mr. Clay, Mr. Robertson, Mr. Weber voting "aye", the minutes of the October 5, regular meeting and the October 13, and 19, 1983 continuation meetings were approved as presented.

IN RE: TRANSFER OF FUNDS--WATER & SEWER FUND

Upon motion of Mr. Clay, seconded by Mr. Bennett, Mr. Clay, Mr. Bennett, Mr. Robertson, Mr. Hargrave, Mr. Weber voting "aye", the Treasurer is hereby authorized to transfer \$1,131.48 from the General Fund to the Water and Sewer Fund.

IN RE: CLAIMS

Upon motion of Mr. Robertson, seconded by Mr. Bennett, Mr. Robertson, Mr. Bennett, Mr. Clay, Mr. Hargrave, Mr. Weber voting "aye",

BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the following claims be approved:

General Fund checks-numbering 83-2054 through 83-2180 amounting to \$111,794.30; History Book Fund-check #HB-83-5 in the amount of \$3.00; Library Fund check #LF-83-19 in the amount of \$25.00; Water & Sewer Fund - Check #W&S-83-3 in the amount of \$1,131.48.

IN RE: FIRE CHIEF'S ASSOCIATION

Mr. Bob Mengel, Dinwiddie VFD, appeared before the Board to represent the Fire Chief's Association. He stated that up until now, the Fire Chiefs have met without any formal organization or authority. He indicated that they have been working on a set of by-laws but would like to know they had the support of the Board of Supervisors before proceeding any further.

Mr. Mengel requested: 1. That the Board approve the Association's By-Laws when presented and grant them the authority to enforce the By-Laws 2. That the Board appoint someone from the County staff to act as President of the Association and provide feedback to the Board of Supervisors.

Mr. Weber stated he supported the idea of a Fire Marshal.

Mr. Robertson stated he agreed with the concept of the Association and thought the Fire Chiefs' Association was

already a recognized organization. He would, however, have to see the By-Laws before taking action to approve them.

Mr. Hargrave indicated he agreed with the concept also and that the Chiefs needed authority in establishing certain policies. He suggested that the fire representatives present remain until the end of the meeting to meet in Executive Session and discuss particular personnel problems they may have.

This was agreeable to those present. No action was taken.

IN RE: CABLETELEVISION

Mr. Paul Bland, Crater General Communications, appeared before the Board to bring them up-to-date on his actions since the last meeting to meet the cabletelevision franchise requirements.

1. Mapping - Mr. Bland indicated Frederick Griffin, cabletelevision consultant, has prepared the map of the initial franchise area which was modified to include Virginia Hills. Mr. Bland indicated he and Mr. Griffin were in agreement on the maps.

2. Financing - Mr. Bland indicated the bank has given a tentative commitment on the financing subject to certain conditions. He, therefore, felt the financing is done but did not have it in writing.

Mr. Weber asked about the tower site. Mr. Bland stated he has found a site but was researching if it could be legally leased to him. Mr. Robertson asked if not granting the franchise at this point would delay any scheduled work. Mr. Bland stated he was going ahead with the design and the preliminary work would be done anyway.

Mr. Robertson indicated he felt the Board needed a firm commitment on the financing to meet the requirements as outlined by the County Attorney and cable t.v. consultant. He wanted to be able to grant the franchise but felt the Board should wait until the November 2 meeting. The other members concurred. No action was taken.

IN RE: SCHOOL BOARD VEHICLE BIDS

As directed at the last meeting, Dr. Richard L. Vaughn, Superintendent of Schools, presented copies of bids for new vehicles for the School Board along with the condition of the cars presently being used. The School Board requested 7 new vehicles at the October 13, 1983 meeting.

The following bids were presented:

Triangle Dodge: Dodge Diplomat - \$9013.72; Petersburg Lincoln: Mercury Marquis - \$8763.16; Heritage Chevrolet: Chevrolet Impala - \$8657.93; Woody's Chevrolet: Chevrolet Impala - \$8787; Strosnider Chevrolet: Chevrolet Impala - \$8690; Ted Curry: Plymouth Grand Fury - \$9455.92; Randolph Motors: Dodge Diplomat - \$8910.65; Hammock-Rand: Plymouth Grand Fury - \$8904.92; Owens Ford: Ford LTD - \$8406.66 (low bid); Ray Broyhill: Ford LTD - \$8430.38; Petersburg Ford: Ford LTD - \$8495; Master Chevrolet - No Bid.

Mr. Clay moved that the School Board be authorized to purchase four (4) cars from the low bidder without air conditioning. Mr. Hargrave seconded the motion.

Dr. Vaughn asked if one car could be authorized with air conditioning. Mr. Robertson asked how much air conditioning would reduce the price of the car. Mr. George Soloe, Superintendent of Schools, stated he really didn't know because he had been quoted a fleet price on these cars. Dr. Charles Ashby, School Board member, asked that the Board authorize one car to be equipped with air conditioning.

Mr. Robertson offered a substitute motion to table the original motion until the next meeting to allow time to find out the cost of air conditioning on the cars. There was no second. Mr. Robertson, Mr. Weber voted "aye". Mr. Hargrave, Mr. Bennett, Mr. Clay voted "nay".

Mr. Hargrave offered an amendment to the original motion to authorize one (1) car with air conditioning. Mr. Bennett seconded the amendment. Mr. Hargrave, Mr. Bennett, Mr. Clay voted "aye". Mr. Robertson, Mr. Weber voted "nay".

Mr. Clay, Mr. Hargrave, Mr. Bennett voting "aye", Mr. Robertson, Mr. Weber voting "nay", the School Board was authorized to purchase three (3) cars without air conditioning and one (1) car with air conditioning from the low bidder.

IN RE: HEALTH INSURANCE PROGRAM

Mr. Norman Crews, Industrial Insurance Management Corporation, briefly reviewed the proposed health insurance programs for the County and the cost to extend the present coverage as requested by the Board at the last meeting. The plans presented were as follows:

OUTLINE OF PRESENT PLAN
PLAN I
MEDICAL INSURANCE

Basic Medical

Room and Board - Days per Confinement	365
Room Limit	Semi-Private
Miscellaneous Expenses - UCR	In Full
Outpatient Car-Accidental - 72 hrs.	In Full
Diagnostic X-Ray & Lab - UCR	\$150
Surgical Expenses - UCR	In Full
In-Hospital Medical - UCR - 70 days	In Full
Maternity - Same as any other illness	

Major Medical

Maximum Benefit	\$1,000,000
Deductible	\$100
Accumulation Period	Calendar Year
Co-Insurance	80%
"Stop Loss" Coverage	After \$1000 out-of-pocket, plan will pay 100%.

PREMIUM & RATE COMPARISON

PLAN I

	Blue Cross - Richmond		Blue Cross - Roanoke	
	<u>County</u>	<u>School</u>	<u>County</u>	<u>Schools</u>
<u>I. Unit Rates</u>				
Employee	\$ 72.08	\$ 86.72	\$ 63.92	\$ 89.66
Employee/Child	108.58	129.80	95.88	134.50
Employee/Family	180.44	221.26	172.58	242.08
<u>II. Estimated Premium - Monthly</u>				
Employee	\$5,983	\$37,463	\$5,305	\$46,175
Dependent	2,242	15,130	2,200	9,522
Total	<u>8,225</u>	<u>52,593</u>	<u>7,505</u>	<u>55,697</u>

Annual

Employee	71,796	449,556	63,660	554,100
Dependent	26,904	181,560	26,400	114,264
Total	<u>\$98,700</u>	<u>\$631,116</u>	<u>\$90,060</u>	<u>\$668,364</u>
%Adjustment	(+9.3%)	(+42.9%)	(- .3%)	(+51.4%)

III. Options in Coverage

1. \$100 deductible per Hospital Admission

Employee	-1.60	-1.60	-3.20	-4.48
Employee/Child	-2.40	-2.40	-4.79	-6.72
Employee/Family	-3.70	-3.70	-8.63	-12.10
Annual Savings	\$2,128	\$11,193	\$4,504	\$33,406

2. Blue Shield - 6010 Series

Employee	-3.00	-3.74	N/A	
Employee/Child	-4.70	-5.66		
Employee/Family	-12.44	-20.98		
Annual Savings	\$5,138	\$40,837		

3. Include Second Opinion Surgery No Charge No Charge

Blue Cross-Richmond - Current

County Schools

1. Unit Rates

Employee	\$ 64.66	\$ 59.42
Employee/Child	97.58	89.12
Employee/Family	170.36	159.26

11. Estimated Premium - Monthly

Employee	\$5,367	\$25,669
Dependent	2,158	11,132
Total	<u>7,525</u>	<u>36,801</u>

Annual

Employee	\$64,404	\$308,028
Dependent	25,896	133,584
Total	<u>90,300</u>	<u>441,612</u>

PLAN II
OUTLINE OF SUGGESTED PLAN
COMPREHENSIVE MAJOR MEDICAL

Maximum Benefit	\$1,000,000
*Deductible - Calendar Year	\$100
Benefit Payments	80%
Room & Board Limit	Semi-Private - 80%
"Stop Loss" Coverage	After \$500 out-of-pocket, the plan will pay 100%

*The deductible is waived for accidents.

Outpatient benefits - no deductible:

Outpatient Surgery	100%
Second Opinion Surgery	100%
Pre-Admission Hospital Testing	100%

MINIMUM PREMIUM PLAN FUNDING ILLUSTRATIONS

Plan I Plan II
Roanoke Richmond Roanoke Richmond

A. Monthly Unit Rates

Employee	\$ 72.54	\$ 78.60	\$ 52.88	\$ 59.21	\$ 69.76
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Employee/Child	108.80	117.62	79.32	89.42	104.36
Employee/Family	195.86	199.72	142.78	159.61	178.24

B. Allocation of Contract Premium

I. Fixed Charges

Retention	\$55,382 9.5%	5.7%	\$44,435 9.5%	7.9%
Pooling:	\$40,000	\$20,000	\$40,000	\$20,000
Entry point	4,664		3,742	
Charge	.8%	2.5%	.8%	2.5%
Total:	\$60,046 10.3%	\$112,143 19.8%	\$48,177 10.3%	\$46,952 8.4%

II. Variable Charges (maximum claim liability)

\$582,974 89.7%	\$567,020 80.2%	\$467,743 89.7%	\$557,175 91.6%
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III. Total Charges

\$643,020 100%	\$679,163 100%	\$515,921 100%	\$604,127 100%
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*12-month premium

10-month premium for schools

Employee	\$ 71.05
Employee/Child	107.30
Employee/Family	191.53

The consultant recommended Plan II, with the Minimum Premium Plan Funding.

Mr. Donald Haraway, School Board member, outlined the plan voted on by the School Board. He indicated that 41% of the School Board's claims paid last year were for psychiatric care.

Mr. Haraway stated the School Board is requesting a re-rating from both insurance companies on Plan I, which is their present coverage, with the following changes:

1. 30 day maximum on psychiatric coverage, including drugs and alcohol.
2. \$2000 limit on psychiatric outpatient care
3. \$100 deductible on present plan which would be waived for an accident.

Mr. Hargrave suggested the School Board look at 100% coverage on outpatient surgery, second opinion surgery, and pre-admission hospital testing as provided in Plan II.

Mr. Sylvester Stanley and Ms. Julia Summey, representing the Dinwiddie Education Association, stated that they supported the School Board's request.

The County Administrator recommended that the Board of Supervisors adopt Plan II with Blue Cross of Roanoke for the County employees, effective November 1, 1983. He felt this plan was a realistic way to control costs and would result in a savings for the County.

Upon motion of Mr. Robertson, seconded by Mr. Hargrave, Mr. Robertson, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Weber voting "aye", the School Board is authorized to request a re-rating

from both insurance companies on Plan I with the conditions as outlined.

Upon motion of Mr. Hargrave, seconded by Mr. Bennett, Mr. Hargrave, Mr. Bennett, Mr. Clay, Mr. Robertson, Mr. Weber voting "aye", the County Administrator was authorized to enter into a contract with Blue Cross of Roanoke for Plan II coverage for county employees, effective November 1, 1983.

IN RE: SHERIFF--REQUEST FOR NEW VEHICLES

Sheriff C.L. Mitchell appeared before the Board to request six (6) new police vehicles. He stated he would have some prices for the Board at their next meeting. Mr. Clay requested that the Sheriff get prices on cars with solid colors rather than the two-tone, national Sheriff's colors.

IN RE: ADOPTION OF SUBDIVISION ORDINANCE

A public hearing was held on the revised subdivision ordinance at the September 21, 1983 meeting.

Mr. W.C. Scheid, Director of Planning, distributed copies of the pages on which changes were made.

Mr. Hargrave stated that there was a difference of opinion on Sec. 15-32 (d) dealing with the final authority on differences of opinion on the installation of water and sewer lines in a subdivision. The paragraph was changed to show the Board of Supervisors will be the final authority on any conflict between the Planning Commission and the Water Authority.

The County Administrator reiterated that he felt the Water Authority should be the final authority on water and sewer issues. The Board of Supervisors does not have jurisdiction over the actions of the Water Authority.

Upon motion of Mr. Bennett, seconded by Mr. Clay, Mr. Bennett, Mr. Clay, Mr. Hargrave, Mr. Robertson, Mr. Weber voting "aye",

BE IT ORDAINED by the Board of Supervisors of Dinwiddie County, Virginia, that Chapter 15, Subdivisions, be repealed and in its stead a revised Chapter 15, Subdivisions, be adopted as follows:

Article I. In General

- 15-1 Short Title
- 15-2 Purpose of chapter
- 15-3 Definitions
- 15-4 Administration of chapter
- 15-5 Same...Duties of agent generally
- 15-6 Enforcement of chapter
- 15-7 Compliance with chapter, etc.
- 15-8 Departure from standards
- 15-9 Interpretation of chapter
- 15-10 Building permits not to be issued for violations
- 15-11 Mutual responsibility to improve use patterns
- 15-12 Amendment of chapter
- 15-13 Fees
- 15-14 Penalty for violation of chapter
- 15-15 Severability

Article II. Plats and Platting
Division I. Generally

- 15-16 Platting required; recordation
- 15-17 Preparation of plat's; surveyor's or engineer's certificate
- 15-18 Changes in plats, etc.
- 15-19 Zoning requirements
- 15-20 Platting part of tract

- 15-21 Resubdivision
- 15-22 Procedure for subdivision approval

Division II. Preparation and Contents of Plats

- 15-23 Preliminary sketch
- 15-24 Preliminary plat, generally
- 15-25 Same....Required information
- 15-26 Same....Plat sketch required
- 15-27 Same....Drawing
- 15-28 Final Plat.....Generally
- 15-29 Same.....Required information
- 15-30 Same.....Drawing

Article III. Design Standards
Division 1. Generally

- 15-31 Conformity to applicable rules and regulations
- 15-32 Improvements generally
- 15-33 Flood and storm water control
- 15-34 Preservation of natural features
- 15-35 Monuments
- 15-36 Dedication of land for public use
- 15-37 Preservation of land for public spaces and flood plains
- 15-38 Acquisition of land for public use
- 15-39 Flood damage consideration

Division 2. Streets and Alleys

- 15-40 Generally
- 15-41 Arrangement
- 15-42 Railroads and highways
- 15-43 Access to major arterial streets
- 15-44 Street right-of-way width
- 15-45 Cul-de-sacs or dead-end streets
- 15-46 Half-streets
- 15-47 Street intersection
- 15-48 Alleys
- 15-49 Street Names
- 15-50 Construction requirements
- 15-51 Private streets

Division 3. Easements

- 15-52. Generally

Division 4. Blocks

- 15-53 Residential blocks
- 15-54 Nonresidential blocks

Division 5. Lots.

- 15-55 Generally

Article I. In General.¹

Section 15-1. Short title.

This chapter shall be known and may be cited as the "Subdivision Regulations of Dinwiddie County, Virginia."

Section 15-2: Purpose.

The purpose of this chapter is to establish certain subdivision standards and procedures for the county and such of its environs as come under the jurisdiction of the governing body as provided for by the Code of Virginia, as amended.

These are part of a long-range plan to guide and facilitate the orderly and 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.

Section 15-3. Definitions.

For the purposes of this chapter, certain words and terms used herein shall be interpreted as follows: The word "lot" includes the word "parcel;" 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; all distance and areas refer to measurement in a horizontal plane. The following words and phrases shall have the meanings respectively ascribed to them by this section:

1. Agent. The representative appointed by the board of supervisors to serve as the agent of the board in approving or disapproving the subdivision plats.
2. Alley. A permanent service way providing a secondary means of access to abutting properties.
3. Authority. The County water authority or the authorized deputy, director, agent or representative thereof.
4. Block. A tract of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad right-of-way, shorelines of waterways, or boundary lines of the county.
5. Building. Any structure built for the support, shelter or enclosure of persons, animals, chattels or moveable property of any kind, and which is permanently affixed to the land.
6. Building setback line. The minimum distance that a building must be set back or off from the front, side or rear property line.
7. Commission. The planning commission of the county.
8. Cul-de-sac. A street with only one outlet and having an appropriate turnaround for a safe and convenient reverse traffic movement.
9. Developer. An owner of property being subdivided, or developed, whether or not represented by an agent.
10. Development. A tract of land, developed or to be developed as a unit under single ownership or unified control, which is to be used for any business or industrial purpose or is to contain three or more residential dwelling units. This definition shall not be construed to include any property which will be principally devoted to agricultural, forestal or horticultural production.
11. Easement. A grant by a property owner of the use of land for one or more specific purposes.
12. Engineer. An engineer licensed by the commonwealth.
13. Frontage. The width of a lot as measured from one side lot line to the other along the front building setback line.
14. Governing body. The board of supervisors of the county.
15. Grade. The slope of a road, street, drainageway, public utility line or other public facility/utility specified in percentage.
16. Health official. The health director of the county or the sanitarian.
17. Highway engineer. The resident engineer employed by the Virginia Department of Highways and Transportation serving the county.

18. Jurisdiction. The area or territory subject to the legislative control of the governing body.
19. Lot. A numbered portion of a subdivision intended for transfer of ownership or for building development for a single building and its accessory building.
20. Lot, corner. A lot abutting upon two or more streets at their intersection.
21. Lot, depth of. The mean horizontal distance between the front and rear lot lines.
22. Lot, double frontage. An interior lot having frontage on two streets.
23. Lot, interior. A lot other than a corner lot.
24. Lot of record. A lot which has been recorded in the office of the clerk of the circuit court.
25. Lot, width of. The mean horizontal distance between the side lot lines.
26. Parent tract. A separate lot, tract or parcel of contiguous land conveyed by deed, devised by will or passing pursuant to the laws of decent and distribution, which was obtained, in toto, by one instrument or passed pursuant to the laws of decent and distribution and which was on record in the office of the clerk of the circuit court of the county on or before the adoption of this definition.² For the purposes of this definition, tracts separated by a right-of-way of any kind are deemed contiguous. Those lots, tracts or parcels conveyed by the same deed, devised by the same will or passing pursuant to the laws of decent and distribution to the same individual, and which are defined as individual tracts of land are deemed separate parent tracts.
27. Plat. The word "plat" includes the following 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."
28. Property. Any tract, lot, parcel or several of the same collected together for the purpose of subdividing.
29. Public water or sewer line, facility or system. A utility operating for public purposes, which may be under public ownership or be a privately owned utility, operating in a proprietary capacity to furnish utility services to persons other than the owner on a contractual basis.
30. Resubdivision. Any division or transfer of land, laid out on a plan previously approved by the county subdivision agent, which proposes to change property lines or public right-of-way not in strict accordance with the approved plan.
31. Street. Means highway, street, avenue, boulevard, road, land, alley or any public way. The principal means of access to abutting property.
32. Street, arterial. A major road which serves corridor movements having trip length and travel density characteristics indicative of substantial statewide or interstate travel.
33. Street, major. A through street or road that carries a large volume of through traffic or anticipated traffic exceeding five hundred vehicles per day.
34. 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.
35. 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.
36. Street, service drive. A public right-of-way generally parallel and contiguous to a major highway, primarily designed to promote safety by eliminating promiscuous ingress and egress to the right-of-way by providing safe and orderly points of access to the highway.

37. Street, stub. A road which no lot has its only street access and which is shown on a subdivision plat to dead-end or terminate at a property line or, in the case of a subdivision constructed in sections, at the periphery of the section.

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

39. Subdivider. An individual, corporation, registered partnership 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, in representing or executing the legal requirements of the subdivision.

40. Subdivision. To divide, for the purpose of development or transfer of ownership, any tract, parcel or lot of land into two or more parts. Land zoned in an agricultural classification shall not be subdivided except that the word subdivide shall not apply to the following:

- (a) Five-acre or larger lots separated from a parent tract, as provided by sections 17-14, 17-21 and 17-29 of this Code.
- (b) A bona fide division or partition of exclusively agricultural land or timberland not intended for development purposes.
- (c) The partition of lands by will or by action of a court of competent jurisdiction unless or until development of the land is proposed.
- (d) A bona fide division of a tract of land made so that one or more of the resulting parcels may be used as part of a public utility right-of-way; provided, that if a parcel resulting from such a division is ever to be used as a building site for other than such right-of-way, before a building permit may be issued for such other use, the minimum requirements of this chapter and chapter 17 shall be observed.
- (e) The separation of three parcels from a parent tract of land, if:
 - (1) A conflict with the general meaning and purpose of this chapter is not created.
 - (2) No new streets are required to serve the parcels.
 - (3) Each parcel created contains at least one acre in area.
 - (4) Each parcel created has at least one hundred fifty feet of frontage along a state-maintained road.
- (f) The sale or exchange of parcels of land between owners of adjoining properties for the purpose of small adjustments in boundaries; provided, that none of the original lots, portions of which are sold or exchanged, shall be reduced below the minimum sizes required by this chapter or chapter 17.
- (g) A single division of land into parcels where such division is for the sale or gift to a member of the immediate family of the property owners. Only one such division shall be allowed per family member and shall not be for the purpose of circumventing this chapter. A member of the immediate family shall be defined as any person who is a natural or legally defined offspring, spouse or parent of the owner.

Prior to the sale of any lot under this provision, a plat showing the proposed lot layout must be submitted to the subdivision agent for the county for review and approval and must, thereafter, be duly recorded in the office of the circuit court clerk of the county. Land zoned as Agricultural, Rural Residential (AR) is exempt from the restrictions contained herein and may be developed for residential purposes in accordance with the provisions of this chapter and chapter 17.

41. Surveyor. Certified land surveyor as licensed by the commonwealth.

Section 15-4. Administration of chapter.

The Director of Planning shall act as agent of the governing body and this chapter. The agent shall consult with the commission on matters contained herein.

Section 15-5. Duties of agent generally.

The agent shall perform its duties as regards subdivisions and subdividing in accordance with this chapter and the Virginia Land Subdivision and Development Act.

In the performance of its duties the agent shall call for opinions or decisions, either verbal or written, from other departments in considering details of any submitted plat. This authority by the agent shall have particular reference to the resident highway engineer, health officer and water authority agent.

Section 15-6. Enforcement of chapter.

The board of supervisors of the county or their appointee shall enforce the provisions of this chapter.

Section 15-7. Compliance with chapter, etc.

The regulations set forth in this chapter are hereby adopted for the subdivision of land within the county, and from and after the effective date of the ordinance from which this chapter derives,³ every owner or proprietor of any tract of land to which these regulations apply who subdivides such tract as provided in these regulations shall conform to the provisions of this chapter and 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, wherein deeds conveying such land are required by law to be recorded. No clerk of any court shall file or record a plat of a subdivision as required herein until such plat has been reviewed and/or approved as required by this chapter provided that nothing herein contained shall be construed as preventing the recordation of the instrument by which such land is transferred on the passage of title as between the parties to the instrument.

Section 15-8. Departure from standards.

Where the subdivider can show that a provision of the standards set forth in 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 planning commission, a departure may be made without destroying the intent of such provisions, the planning commission may authorize an exception.

The Planning Commission shall not approve exceptions to this ordinance unless it shall make findings based upon the evidence presented to it in each specific case that:

- (a) the granting of the exception will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located.
- (b) the conditions upon which the request for an exception is based are unique to the property for which the exception is sought and are not applicable, generally, to other properties.
- (c) because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
- (d) the purpose of the exception is not based exclusively upon a financial consideration.

Section 15-9. Interpretation of chapter.

The provisions of this chapter shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare.

Where the conditions imposed by any provisions of this chapter upon the subdivision of land are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this chapter or of any other applicable law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.

This chapter is not intended to abrogate any easement, covenant, or other private agreement or involve the county in the administration and enforcement of said private agreements; provided, that where the regulations

of this chapter are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement, the requirements of this chapter shall be enforced.

Section 15-10. Building permits not to be issued for violations.

No building permit shall be issued for the construction of any building or structure to be located on a lot created or established in violation of the provisions of this chapter.

Section 15-11. Mutual responsibility to improve use patterns.

It shall be the mutual responsibility of the subdivider and the county to divide the land so as to improve the general use pattern of the land being subdivided.

Section 15-12. Amendment of chapter.

This chapter may be amended in whole or in part by the governing body; provided, that any such amendment may either originate with or be submitted to the commission for recommendation; and, further provided, that no such amendment shall be adopted without a public hearing having been held, of which notice of the date, time and place shall have been given as required by section 15.1-431 of the Code of Virginia.

Section 15-13. Fees.

The fees for processing subdivisions or land developments by the County shall be payable upon submission of the plats to the county for preliminary or final review and shall be equal to the following:

- (a) Preliminary review
 - (1) Subdivision plats ...\$10.00 plus \$1.00 per lot
 - (2) Land development ...\$20.00 plus \$1.00 per acre
- (b) Final review
 - (1) Subdivision plats ...\$15.00 plus \$1.00 per lot
 - (2) Land development\$25.00 plus \$1.00 per acre

A separate charge will be made for the review of public water and/or sewage plans. Such charge will be due upon submission of the plans for review and the amount shall be determined by the authority as established by ordinance and/or set forth by their rules and regulations.

Section 15-14. Penalty for violation of chapter.

Any owner 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 or transferred or sold and 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 therein provided. Each day after the first during which violation shall continue shall constitute a separate violation.

Section 15-15. Severability.

Should any section or provision of this ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not effect the validity of the ordinance as a whole, or any part thereof other than the part so held to be unconstitutional or invalid.

Article II. Plats and Platting
Division I. Generally

Section 15-16. Platting required; recordation

Any owner or developer of any tract of land situated within the county 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 and certified by the agent in accordance with the regulations set forth in this chapter. No lot shall be sold in any such subdivision before the plat shall have been recorded.

Section 15-17. Preparation of plats; surveyor's or engineer's certificate.

Every subdivision plat which is intended for recording shall be prepared by a certified professional engineer or land surveyor, who shall endorse upon each such plat a certificate signed by him setting forth the source of title of the owner 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. Provided, however, that nothing herein shall be deemed to prohibit the preparation of preliminary studies, plans, plats or a proposed subdivision by the owner of the land, city planners, land planners, architects, landscape architects, or others having training or experience in subdivision planning or design.

Section 15-18. Changes in plats, etc.

No change, erasure or revision shall be made on any preliminary or final plat, nor on accompanying data sheets after approval of the agent has been endorsed in writing on the plat or sheets, unless authorization for such changes has been granted in writing by the agent.

Section 15-19. Zoning requirements.⁴

In reviewing subdivision plats, the Planning Commission and subdivision agent shall consult and make specific references to any violations of Chapter 17, the Dinwiddie County Zoning Ordinance. When the intended use of all or part of the platted area, as indicated by the preliminary plat of a subdivision and as shown on that plat, would put the land in a more restrictive category than now exists such shall be considered a petition for the rezoning of the platted area to the higher classification and no further review shall be conducted until the rezoning application is acted upon.

Section 15-20. Platting part of tract.

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.

Section 15-21. Resubdivision.

A resubdivision of all or any part of a recorded subdivision may not be made or recorded until submitted and approved by the subdivision agent. The agent may, if deemed appropriate, consult with the Planning Commission prior to taking final action on the request for resubdivision.

Section 15-22. Procedure for subdivision approval.

The following procedure shall be followed for approval of subdivisions:

1. Preliminary sketch. The subdivider may, if he so chooses, submit to the agent a preliminary sketch of the proposed subdivision prior to his preparing engineered preliminary and final plats. The purpose of such a preliminary sketch is to permit the agent an opportunity for a cursory review to advise the subdivider whether his plans, in general, are in accordance with the requirements of this chapter. Three copies of the sketch must be submitted and said sketch must contain those requirements found in Division II of this Article.

The Agent shall respond to the subdivider as soon as possible regarding the acceptability of the subdivision but, in no case, shall the response time exceed thirty days from the date of submission.

2. Preliminary plat. The subdivider shall prepare and submit twelve copies of the preliminary plat in accordance with the provisions of Division II of this Article, including a proposal for the installation of improvements and intended dedication or reservation of public lands. The subdivider shall file a letter

of transmittance of the preliminary plat with the subdivision agent along with the preliminary plats and appropriate review fee(s). Upon receipt of such proposed plat, the agent shall schedule a public review of the preliminary plat by the Planning Commission. The subdivider shall be notified, in writing, of the date, time, and place of said hearing. Additionally, the agent shall submit three copies to the Virginia Department of Highways and Transportation, two copies to the Dinwiddie County Health Department, and five copies to the Dinwiddie County Water Authority for review and comment. One copy shall be submitted to the Appomattox River Soil and Water Conservation District for review of the Erosion and Sedimentation Control Plan. After receipt of such recommendations from the various reviewing authorities, the agent shall either (a) approve the preliminary plat if such plat is in conformity with the provisions of this chapter; or (b) approve the plat subject to modifications; or (c) reject the plat. Written findings giving specific reasons for the action taken will be reported to the subdivider by the agent within ninety days after receipt of the preliminary plat. Such reasons shall relate in general terms such modifications or corrections as will permit approval of the plat. Under no circumstances shall this time limit apply if the subdivider submits incomplete information which is necessary to adequately review the proposed preliminary plat.

Preliminary plat approval shall expire twelve months from the date of approval. Where there are no changes from a previously approved preliminary plat, the subdivision agent may administratively review and renew preliminary plat approvals for an additional twelve month period subject to all previously imposed conditions. In the event it is deemed necessary to require additional conditions, the renewal request shall be considered by the agent after consulting the Planning Commission at its next appropriate meeting. Applications for renewal shall be submitted at least thirty days prior to expiration.

3. Final Plat. The final plat shall not be approved until the subdivider has complied with the required modifications to the preliminary plat and the requirements contained in Division II. The subdivider shall submit eight blue or black line prints of the final plans and specifications for all required physical improvements to be installed as well as the appropriate fee(s) for review. All final plans and specifications must be prepared by an engineer or certified land surveyor qualified to prepare such plans.

Upon receipt of the final plat, the agent shall have sixty days to review said plat and return the plat to the subdivider indicating whether or not the plat is approved. The review time may be extended if mutually agreed upon by the subdivider and the agent. After the final plat has been approved by the agent, the subdivider may record the plat subject to the submission and recordation requirements of this section.

4. Submission and recordation of final plat. The subdivider shall submit to the agent one linen print, five blue or black line prints and one transparency (photographic positive polyester film) of the final plat as well as submit an adequate performance bond, irrevocable letter of credit, cash or such other arrangement approved by the agent to cover the costs of necessary improvements. The agent shall obtain the proper signatures and return to the subdivider the linen print to be recorded in the clerk's office of the circuit court of the county. Unless the final plat is filed for recordation within six months after final approval thereof by the agent, such approval shall be withdrawn, and the plat shall be marked void. After recordation, the subdivider may then proceed to develop and sell lots in his subdivision.

5. Appeals. If the agent fails to approve or disapprove the proposed final plat within sixty days after it has been officially submitted for approval, the subdivider, after ten days' written notice to the agent may petition the circuit court of the county to decide whether the plat should or should not be approved. The Court shall hear the matter and make and enter such order with respect thereto as it deems proper.

If the agent disapproves a final plat and the subdivider contends that such disapproval was not properly based on this chapter, or was arbitrary or capricious, he may appeal to the circuit court, and the court shall hear and determine the case as soon as may be.

Division II. Preparation and Contents of plats

Section 15-23. Preliminary Sketch.

The agent, upon submission of any such preliminary sketch, shall study it and advise the subdivider wherein it appears that changes would be necessary, the agent may mark the preliminary sketch indicating necessary changes. The preliminary sketch shall be as follows: It must be drawn on a print of a topographic map showing the property and must be drawn to a scale of not less than two hundred feet to the inch. The name, location and dimensions of all streets entering the property, adjacent to the property or terminating at the boundary of the property to be divided must be shown. All proposed streets, lots, parks, playgrounds and other proposed uses of the land to be subdivided must be shown and shall include the approximate dimensions.

Section 15-24. Preliminary plat, generally.

Every proposed subdivision shall be submitted to the agent for preliminary approval in accordance with the provisions of section 15-22 in the form of a preliminary plat prior to the submission of a final plat. The preliminary plat is not intended to be a final plat and shall be prepared in such form as not to be confused with a final plat. Its purpose is to show graphically all facts needed to enable the agent, planning commission and other public bodies to determine whether the proposed layout of the land in question is satisfactory from the standpoint of the public interest.

The graphic and descriptive items set out in section 15-25 are required to be shown on the preliminary plat. The lack of information under any item specified herein, or improper information supplied by the subdivider, may be cause for disapproval of the preliminary plat.

Section 15-25. Same...Required information.

Written application for approval by the owner, or his representative, shall accompany each preliminary plat. Each preliminary plat shall contain the following information:

- (a) Name for file identification.
 - (1) Name of subdivision if property is within an existing subdivision.
 - (2) Proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any existing or proposed subdivision in the county.
- (b) Location and description of property. Location of property by parcel number(s) as designated on county tax maps.
- (c) Basic facts and proposals pertaining to the property:
 - (1) Size of tract in acres or of existing lots, if any, in square feet.
 - (2) Existing zoning classification of subject property and adjacent property, and any rezoning proposed to be requested.
 - (3) Number of lots proposed in subdivision.
 - (4) Area of lots proposed: Minimum, average and maximum.
 - (5) Proposed type of water and sewer facilities.
 - (6) Any other proposals, such as parcels of land intended to be dedicated, conveyed, or reserved for public use, and the conditions proposed for such disposal and use as specified in section 15-36.
- (d) Information as to rights-of-way and easements. Citation of any existing legal right-of-way or easement affecting the property.

Section 15-26. Preliminary sketch required.

A preliminary sketch shall be submitted as a cover sheet with all preliminary plats.

Section 15-27. Drawings.

The preliminary plat shall be drawn at a scale of one inch equalling one hundred feet. Variations in scale may be made upon request at the discretion of the subdivision agent. The plat shall show correctly on its face the following information:

- (a) Date, scale, and north point.
- (b) The proposed subdivision name.
- (c) The name, address and phone number of the owner, the subdivider, and the surveyor or engineer preparing the plat.
- (d) The length and bearing of the exterior boundaries of the subdivision. Dimensions shall be expressed in feet and decimals of a foot with accuracy to 0.5 percent.
- (e) Location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land.
- (f) Location, width, and names of all existing and platted streets, alleys, and other public ways and easements, railroad and utility rights-of-way, parks, cemeteries, watercourses, drainage ditches, permanent buildings, bridges, and other pertinent data as determined by the planning commission or agent.
- (g) Layout, width, and grades of all new streets and rights-of-way, alleys, highways, easements for sewers and water mains, and other public utilities.
- (h) Existing sewers, water mains, culverts, and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest water main and sanitary and storm sewers are to be indicated in a general way upon the preliminary plat.
- (i) Approximate dimensions and areas of lots.
- (j) Proposed building setback lines on radial lots of cul-de-sacs.
- (k) Approximate radii of all curves, length of tangents, and central angles on all streets.
- (l) Approximate location and area of all property proposed to be dedicated for specific public use with the conditions, if any, of such dedication.
- (m) Contours at vertical intervals of not more than five feet or at more frequent intervals if required by the planning commission for land with unusual topography. Source of topography shall be stated on the plat.
- (n) The limits of established flood plains.
- (o) Location of necessary bench marks and source of topography.

Section 15-28. Final plat---Generally.

A final plat may constitute all or only a portion of the area contained in the approved preliminary plat; provided, that the public improvements to be constructed in the area covered by the final plat are sufficient by and of themselves to accomplish a proper development and to provide adequately for the health, safety and convenience of the proposed residents therein and for adequate access to contiguous areas.

Section 15-29. Same---Required information.

Written application by the owner or his agent for approval in accordance with section 15-22 shall accompany each final plat and contain the following information:

- (a) Name of subdivision and description of blocks and lots included on plat.
- (b) Existing or proposed covenants, if any.
- (c) Name and address, including telephone number, of the owner or his agent and the surveyor who prepares the plat.
- (d) Whenever any pond, lake or similar body of water or open space area is proposed to be located within or adjacent to subdivision, the developer or engineer shall present a plat outlining any construction to occur and a proposed plan for the perpetual maintenance of any such body of water or open space area.
- (e) Itemized cost estimates for all required improvements with special emphasis upon water lines, storage tanks, fire hydrants, sewer lines, pump stations, streets, curbs, gutters and erosion/sedimentation control measures.

Section 15-30. Drawing.

The final plat sheet(s) shall be sixteen inches by twenty-four inches and shall be prepared by a certified professional engineer or land surveyor. The final plat of the subdivision shall conform to the approved layout of the preliminary plat and show on its face the following information:

- (a) Owner's consent and dedication statement.

Know all men by these presents, that the subdivision of land as shown on

this plat, containing _____ acres, more or less, and designated _____ Subdivision, situated in the _____ District, in the County of Dinwiddie, Virginia, is with the free consent and in accordance with the desires of the undersigned owners thereof; that all streets shown on said plat are hereby dedicated to the public use, and that all lots within the subdivision are subject to certain restrictions, reservations, stipulations and covenants as contained in a writing executed by the undersigned, under date of _____, 19____, and recorded in the Clerk's Office of Dinwiddie County, in deed book _____ page _____. The said _____ acres of land hereby subdivided having been conveyed to _____ by _____ by deed dated _____, 19____, and of record in the clerk's office of the circuit court of Dinwiddie County, Virginia, in deed book _____, at page _____. Given our hands this _____ day of _____, 19____.

Signature

Signature

(b) Notarization Statement

State of Virginia
County of Dinwiddie to wit:

I, _____, a notary public in and for the county/city of _____, State of Virginia, do hereby certify that _____, whose name(s) are signed to the foregoing owner's consent and dedication have acknowledged the same before me in my county/city and state aforesaid.

Given under my hand this _____ day of _____, 19____.
My commission will expire on the _____ day of _____, 19____.

Notary Public

(c) Surveyor's certificate statement.

I hereby certify that to the best of my knowledge and belief, all of the requirements of the board of supervisors and ordinances of the County of Dinwiddie, Virginia, regarding the platting of subdivisions within the county, have been complied with.

Given under my hand this _____ day of _____, 19____.

(d) Certificate of approval Statement.

This subdivision known as _____, is approved by the undersigned in accordance with existing subdivision regulations and may be committed to record.

Date

Date

Date

Date

Highway Engineer

* Health Officer

Dinwiddie Water Authority

Board of Supervisors,
Chairman or Agent

*Approval is only with the understanding that where septic tanks are to be installed, each lot must be approved on an individual lot basis by the Health Department at the time that application is made for a septic tank permit.

(e) All notes as pertinent to the owner's or developer's intentions as to plans for land use, water systems, sewage systems, drainage systems, area of lots, streets, widening and dedicated strips, easements, area left in acreage, building lines, curbs, gutters, ditches, reserved and recreation areas, flood plains, etc.

(f) All street names.

(g) Property location as to corresponding county tax map sections and parcel numbers.

- (h) Vicinity map.
- (i) Zoning classification.
- (j) Total area shown on the plat, including streets and total area dedicated to public use.
- (k) Total number of lots included on the plat and area contained within each lot.
- (l) Date, scale and north arrow.
- (m) The exact length and bearing of all lot lines.
- (n) Location and size of all street right-of-way and easements as well as all pertinent curve data.
- (o) Location of all flood plains.
- (p) Those areas to be dedicated for public use in accordance with section 15-36.

Article III. Design Standards

Division 2. Generally

Section 15-31. Conformity to applicable rules and regulations.

In addition to the design standards established herein, all subdivision plats shall comply with the following laws, ordinances, rules and regulations as they may be applicable:

- (a) The provisions of Title 15.1, Chapter II. Article 7, Code of Virginia, as amended.
- (b) Chapter 17 of this Code.
- (c) Chapter 16A of this Code.
- (d) Chapter 14A of this Code.
- (e) Title 32 of the Code of Virginia and the rules of the state health department.
- (f) The rules of the state highway commission relating to construction of subdivision roads and the safe access of lots and roads to existing state maintained roads.
- (g) such other departments/agencies required by federal/state law or deemed necessary by the subdivision agent.

Section 15-32. Improvements generally.

- (a) The subdivider or developer shall at his expense install street and utility improvements and other improvements indicated on the plat. The installation of adequate fire hydrants in a subdivision at locations approved by the agent may be required; provided the necessary public water is available. Where public water and/or sewer are available, the service shall be extended to all lots within the subdivision. The cost of engineering design, checking, drafting and field inspection is to be borne by the subdivider or developer.
- (b) Any person proposing to construct a subdivision designed for more than fifteen individual, single-family dwelling units or for any other development whose consumption is the equivalent of that of more than twenty-five individuals shall design and construct a waterworks system in accordance with the requirements of the authority and/or state health and water control boards, except as provided herein.
- (c) Any person proposing to construct a development designed for more than fifteen individual, single-family dwelling units or for any other development whose consumption is the equivalent of that of more than twenty-five individuals shall design and construct a sewer system including building sewer connections to the property line in accordance with the requirements of the authority and/or appropriate state agency. Said sewer system shall be connected to an existing sewage works system. In the event a sewage works system is not available the subdivider or developer shall construct a central sewage disposal

facility. Such sewage disposal works facility shall conform to the requirements of the state agencies having jurisdiction and the authority.

- (d) Any developer who deems the provisions of section 15-32(b) and/or 15-32(c) to be the cause of an undue hardship may cause a feasibility study to be made by a registered professional engineer at the developer's expense and submit not less than eight copies of such study to the commission together with a written request for exemption from the provisions of section 15-32(b) and/or (c). The commission shall consult with the authority regarding the exemption and shall hold a public hearing at its next regularly scheduled meeting, or as soon thereafter, at which time the request will be reviewed. The commission will receive any additional information at this time and render a decision to either grant or deny the request for exemption. In the event the commission shall render a decision in conflict with the authority the agent shall forward the matter to the Board for a final decision which shall be binding upon the developer.
- (e) The subdivider or developer of land shall pay or provide for the payment of his pro rata share of the cost of providing reasonable and necessary sewerage and drainage facilities, located outside the property limits of the land owned or controlled by him but necessitated or required, at least in part, by the construction or improvement of his subdivision or development in areas within the county where there has been established a general sewerage and drainage program having related and common sewer and drainage conditions, and within which the land owned or controlled by the subdivider or developer is located; and in which areas a total estimated cost of ultimate sewerage and drainage facilities required adequately to serve the related and common area has been established, when and if such area is fully developed in accord with the adopted general program. Such pro rata share shall be limited to the proportion of such total estimated cost which the increased sewage flow or increased volume and velocity of storm water runoff to be actually caused by his subdivision or development bears to total estimated volume and velocity of such sewage or runoff from such area in its fully developed state. Each payment received shall be expended only for the construction of those facilities for which the payment was required, and until so expended shall be held in an interestbearing account for the benefit of the subdivider or developer; provided, however, that in lieu of such payment the board of supervisors may provide for the posting of a bond with surety satisfactory to it conditioned on payment at commencement of such construction.

Section 15-33. Flood and storm water control.

No land shall be subdivided which is found by the agent not to adequately provide for storm or flood water runoff channels or basins.

Section 15-34. Preservation of natural features.

In all subdivisions, due regard shall be given to the preservation of natural features such as large trees, watercourses, historical and similar features.

Section 15-35. Monuments.

Concrete monuments four inches in diameter or square, three feet long with a flat top shall be installed in all subdivisions at all block corners, angle points, radial points of curves in streets, and at all intermediate points along streets or property lines where monuments can not readily be seen one from the other. Said monuments shall have an indented cross or protruding metal bar to indicate the exact point needing to be identified. The replacement of any monuments removed or destroyed during the development of the subdivision shall be the responsibility of the subdivider.

All other lot corners shall be marked with iron pipe not less than three-fourths inch in diameter and twenty-four inches long and driven into the ground 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.

Section 15-36. Dedication of land for public use.

(a) When a final plat of a subdivision has been approved and all other required approvals are obtained and the plat is recorded, such recordation shall constitute acceptance for the purpose designated on the plat of all lands shown on the plat as dedicated to the public use, including any right-of-way located within any subdivision which has constructed therein, or proposed to be constructed therein, any street, curb, gutter, sidewalk, bicycle trail, drainage or sewerage system or other improvement, financed or to be financed in whole or in part by private funds only if the owner or developer furnishes to the agent and/or the authority a certified check in the amount of the estimated costs of construction, a bond with satisfactory surety, or an irrevocable letter of credit in a form designated by the agent and/or the authority in an amount sufficient for the conditioned upon the construction of such facilities, or a contract for the construction of such facilities and the contractor's bond, with like surety, in like amount and so conditioned, provided, however, in the event the county has accepted the dedication of a road for public use and such road due to factors other than its quality of construction is not acceptable into the State highway System, then the agent may require the subdivider or developer to furnish the county with a maintenance and indemnifying bond, irrevocable letter of credit or other surety satisfactory in an amount sufficient for and conditioned upon the maintenance of such road until such time as it is accepted into the State Highway System.

(b) Whenever a preliminary plat includes a proposed dedication of land to public use and the agent finds that such land is not required or not suitable for public use, after consultation and with the planning commission, the agent may either refuse to approve such dedication or require the rearrangement of lots in the proposed subdivision to include such land.

(c) The subdivision agent and/or authority shall be empowered to release in whole or part the bonding for required improvements when the proper reviewing agency has inspected and accepted that portion of the improvement over which they have responsibility. In no case shall the agent release more than 90% of the bond unless satisfactory arrangements have been made with the appropriate agency for a performance guarantee of the materials and workmanship of the required improvement.

Section 15-37. Preservation of land for public spaces and flood plains.

(a) Whenever a tract to be subdivided includes a proposed site for a park, playground, school or other public use as indicated on the general plan, such space shall be suitable incorporated by the subdivider into his subdivision plat after proper determination of its necessity by the planning commission, the agent and other public agencies involved in the acquisition or use of each such site.

(b) The computation of flood plain areas (land subject to inundation by flood waters) is to be given consideration by engineers who are skilled in and familiar with this particular type of engineering problem. It is expected that all flood plains shall be delineated based on a one hundred year frequency and the balance of energy concept of computing water surface profiles. If the agent finds it necessary, the engineer may be required to submit complete documentation of all computations for flood plains which shall include:

- (1) Topography of the contributing watershed, profiles of the reach of stream in questions, cross sections of the stream in question and data concerning any constrictions or control points which may affect the flow.
- (2) Runoff computations based on either the "rational formula" or other suitable method.
- (3) Water surface profile computations. When computations are made by electronic computer, the engineer need not submit computations; however, the agent shall be informed of what program was used, and if not previously approved, a printout of the program should be provided. Flood plain computations shall be made whenever the contributing watershed is greater than one hundred acres; however, certain instances may necessitate such computations for smaller areas. The computations shall reflect development trends in the upstream watershed twenty years hence in selecting a design discharge. Computations required in this section shall be accomplished in accordance with "Open Channel Hydraulics" by V.T. Chow and "Hydrologic and Hydraulic Analyses" Engineering Manual 110-2-1409, Department of the Army Corps of Engineers.

Section 15-38. Acquisition of land for public use.

The planning commission shall consider all preliminary plats and plans or studies related thereto, to determine the need for acquisition for public use of any of the land included in the preliminary plat. If such studies or plans do relate thereto, the planning commission may refer the plat to the public body concerned with acquisition for its consideration and report. The planning commission may propose alternate areas for such acquisition and shall allow the public body or agency thirty days for reply. The agency's reply, if affirmative, shall include a map showing the boundaries and area of the parcel to be acquired and an estimate of the time required to complete the acquisition. Upon receipt of an affirmative reply, the planning commission shall designate on the preliminary plats the area proposed to be acquired by the public body.

Section 15-39. Flood damage considerations.

All subdivisions shall be reviewed by the planning commission and agent to assure that all such proposals are consistent with the need to minimize flood damage. All public and private utilities and facilities, such as sewer, gas, electrical and water systems shall be located, elevated and constructed to minimize and eliminate flood damage, and drainage shall be provided so as to reduce exposure to flood hazards. For the purposes of review, the planning commission and agent shall rely on the flood hazard areas as indicated on maps supplied by the Federal Insurance Administrator of the Department of Housing and Urban Development and the one hundred-year Flood Plain determined and published in reports of the U.S. Corps of Engineers.

Division 2. Streets and Alleys

Section 15-40. Generally.

Streets shall be designed and located in relation to existing and planned streets within the general area, to topographical conditions and natural terrain features such as streams and existing tree growth, to public convenience and safety, and in appropriate relation to the proposed uses of land to be served by such streets.

Section 15-41. Arrangement.

(a) All streets shall be properly integrated and coordinated with existing streets, and the proposed system of streets within and contiguous to the subdivision.

(b) All thoroughfares shall be properly related to special traffic generators such as industries, business districts, schools, churches, and shopping centers; to population densities; and to the pattern of existing and proposed land-uses.

(c) Local streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems and to require the minimum number of streets necessary to provide convenient and safe access to property.

(d) The rigid rectangular gridiron street pattern may not be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped streets shall be encouraged where such use will result in a more desirable layout.

(e) Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the planning commission such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.

(f) In business and industrial developments, the streets and other accessways shall be planned in connection with the grouping of buildings, locations of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian.

(g) All subdivisions shall provide for a second public road, access prior to the recordation of any subdivision plat if the cumulative total of the

lots in that subdivision is in excess of fifty-nine lots. In addition, the county shall not issue more than fifty building permits in any subdivision until the subdivider or developer completes construction of an approved second public road access.

(h) The necessary right-of-way for stub roads to provide adequate access to adjacent property or utility easements to provide utility service shall be dedicated at the time a subdivision is recorded. When the adjacent property is developed, the developer of such property shall connect and construct all stub roads to state department of highways and transportation standards and extend utility service to connect with the adjacent subdivision to county utility department standards.

(i) In any subdivision recorded or built in sections, all stub roads or utilities in a section designed to serve property in the subdivision but to be developed in a later section shall be constructed at the time other streets or utilities in that section are constructed.

Section 15-42. Railroads and highways.

Subdivision of land adjacent to railroad right-of-way and limited access highways shall be treated as follows:

(a) In districts zoned for commercial or industrial uses the nearest street extending parallel or approximately parallel to the railroad shall, whenever practicable, be at a sufficient distance therefrom to insure suitable depth for commercial or industrial sites.

(b) Streets parallel to the railroad or limited access highway when intersecting a street which crosses the railroad or limited access highway at grade shall be, to the extent practicable, at a distance of at least one hundred fifty feet from the railroad or limited access highway right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

Section 15-43. Access to major arterial streets.

Where a subdivision borders on or contains an existing or proposed arterial street, the planning commission may permit the subdivider to provide that access to such streets be limited by one or more of the following means:

(a) The subdivision of lots so as to back onto the major street and front on to a parallel local street. No access shall be provided from the major street and screen planting shall be provided on a strip of land along the rear property line of such lots.

(b) A series of cul-de-sacs, U-shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial street.

(c) A marginal access or service road (separated from the major street by a planting or grass strip and having access thereto at suitable points).

(d) Keep the number of residential streets entering a major street to a minimum.

Section 15-44. Street right-of-way width.

The minimum width of proposed streets, measured from lot line to lot line, shall be as shown on the major street plan, or if not shown on such plan shall be:

- (a) Arterial streets, not less than eighty feet;
- (b) Other streets, generally, not less than fifty feet;
- (c) Other minor streets which cannot be extended in the future, not less than fifty feet; and
- (d) Alleys, if permitted, not less than twenty feet nor more than twenty-eight feet.

The Planning Commission or agent may require a greater width if, after consultation with the Highway Department, additional width is determined necessary for the public's health, safety and welfare.

Section 15-45. Cul-de-sacs or dead-end streets.

The diameter of a cul-de-sac turn-around (measured at the outside right-of-way) shall not be less than one hundred feet. Cul-de-sac streets shall not be longer than twelve hundred feet.

Section 15-46. Half-streets.

Street systems in new subdivisions shall be laid out so as to eliminate or avoid half-streets. Where a half-street is adjacent to a new subdivision the other half of the street shall be dedicated by the subdivider. Where a new subdivision abuts an existing street of inadequate right-of-way width, additional right-of-way width may be required to be dedicated by the subdivider to meet the requirements of this section.

Section 15-47. Street intersection.

(a) Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two new streets at an angle of less than seventy-five degrees shall be prohibited. Not more than two streets shall intersect at any one point.

(b) Proposed new intersections along one side of an existing street shall whenever practicable coincide with any existing intersections on the opposite side of such street. Street jobs with centerline offsets of less than one hundred fifty feet shall be prohibited. Where streets intersect major streets, their alignment shall be continuous or separated by a minimum distance of three hundred feet between centerlines.

(c) Alley intersections with streets and abrupt changes in street or alley alignment shall have the corners rounded off in accordance with standard engineering practice, to permit safe vehicular movement.

(d) Where the grade of any street at the approach of an intersection with an arterial or major collector street exceeds seven percent, a leveling area shall be provided having no more than a four percent grade for a distance of twenty-five feet, measured from the nearest right-of-way line of the intersecting street.

(e) Intersections shall be designed with a flat grade wherever practical. In no case shall the vertical alignment within the intersection area exceed four percent.

(f) Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground or vegetation (including trees) in connection with the grading of the public right-of-way to the extent deemed necessary to provide a minimum sight distance of ninety feet along each approach leg, measured from the nearest right-of-way line of the intersecting street.

(g) Minimum corner radius at street intersections shall be as specified by the Virginia Department of Highways and Transportation.

Section 15-48. Alleys.

(a) Alleys shall be provided in all commercial and industrial districts; except, that the planning commission may waive this requirement where other definite and suitable provisions are made for service access such as off-street loading and parking consistent with, and adequate for, the uses proposed.

(b) The width of alleys in commercial and industrial districts shall not be less than twenty-four feet.

(c) Dead end alleys are prohibited except under very unusual circumstances, and crooked and "T" alleys shall be discouraged. Where dead-end alleys are unavoidable, they shall be provided with adequate turnaround facilities at the dead end.

Section 15-49. Street names.

New street names shall not duplicate the names of existing streets, but streets that are continuations of other streets already in existence and named shall bear the name of the existing street. All proposed street names shall be approved by the appropriate regional review agency. When the final plat is submitted, a letter from the appropriate regional review agency indicating their approval of specific names shall accompany the plat.

Section 15-50. Construction requirements.

In cases where the state department of highways specifications are lacking or are less restrictive than the requirements of this section, the requirements of this section shall prevail. All streets or roads constructed in any subdivision in the county shall conform to the following requirements.

(a) The roadway shall be graded to thirty feet exclusive of side ditches.

(b) The base for pavement shall be at least twenty-four feet in width and six inches in depth of stone, gravel or other satisfactory material approved by the state department of highways.

(c) Pavement widths shall be a minimum of twenty-two feet constructed of material passing the state department of highways specifications. The pavement shall consist of a bituminous oil primer treatment and final sealed treatment with rates of application to be in accordance with the state department of highways specifications.

Section 15-51. Private streets.

There shall be no private streets platted in any subdivision unless the Planning Commission shall determine, after a public hearing, that extenuating circumstances exist or the public's interest would be best served by allowing such a street.

Division 3. Easements.

Section 15-52. Generally.

(a) Easements across lots or centered on rear or side lot lines shall be provided for utilities and where required by the agent, such easements to be at least sixteen feet wide. Proper coordination shall be established between the subdivider and the applicable utility companies for the establishment of utility easements.

(b) Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse and of such width or construction or both as will be adequate for the purpose.

Division 4. Blocks.

Section 15-53. Residential blocks.

(a) Blocks shall have sufficient width to provide for two tiers of lots of appropriate depths. Exceptions to this prescribed block width may be permitted in blocks adjacent to schools, parks, major streets, railroads, shopping centers or waterways.

(b) The lengths, widths and shapes of blocks shall be appropriate for the locality and the type of development contemplated, but block length in residential areas shall not exceed one thousand eight hundred feet. Wherever practicable, blocks along major arterials and collector streets shall be not less than one thousand feet in length.

(c) Where a subdivision adjoins a major road, the agent may require that the newly created lots front on the subdivision road rather than the major thoroughfare to avoid unnecessary ingress and egress from individual driveways.

Section 15-54. Nonresidential blocks.

Blocks designed for commercial or industrial uses shall be of such length

and width as may be determined suitable by the agent or planning commission for the prospective use.

Division 5. Lots.

Section 15-55. Generally.

(a) In general, the size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. Lot dimensions shall conform to the requirements of Chapter 17 of this Code.

(b) Residential lots to be served by private or individual sewerage disposal facilities shall comply with the rules of the state health department.

(c) Depth and width of properties laid out for commercial or industrial purposes shall be adequate to provide for the off-street parking and loading facilities required for the type of use and development contemplated, as established in Chapter 17 of this Code.

(d) Where lots front on arterial streets, the minimum building setback line as measured from the street right-of-way line shall be increased by an additional fifteen feet.

(e) Every lot, except those permitted by Chapter 17, shall front on a public street.

(f) Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from one lot to adjacent lots.

(g) Lots at right angles to each other shall be avoided wherever possible.

(h) Side lot lines shall be approximately at right angles or radial to street lines.

(i) Lot lines shall follow county boundary lines wherever practicable, rather than cross them.

(j) Double frontage and reversed frontage lots shall be avoided except where necessary to overcome specific disadvantages of topography and orientation.

(k) Corner lots shall be of additional width so as to provide for the required setbacks from both streets.

(l) Lots shall not contain peculiarly shaped elongations solely to provide necessary square footage of area which would be unusable for normal purposes.

Footnotes:

1. For state law as to planning, subdivision of land and zoning generally, see Code of Virginia, 15.1-427 et seq.
2. Editor's note -- The amending ordinance from which this definition derived was adopted November 3, 1976.
3. Editor's note. -- The ordinance from which this chapter derives was adopted June 3, 1960, and became effective July 1, 1960.
4. As to zoning generally, see chapter 17 of this Code.

IN RE: NON-DISCRIMINATION POLICY--COMMUNITY DEVELOPMENT
BLOCK GRANT FUNDS

Upon motion of Mr. Clay, seconded by Mr. Hargrave, Mr. Clay, Mr. Hargrave, Mr. Bennett, Mr. Robertson, Mr. Weber voting "aye", the following resolution was adopted:

WHEREAS, Dinwiddie County, Virginia has been instructed

by the Department of Housing and Community Development that it must adopt and adhere to a policy of non-discrimination relative to all matters associated with implementing its Community Improvement Grant; and

WHEREAS, the stated purpose of such policy is to assure all parties involved that discrimination on account of race, color, religion, sex or national origin will not be tolerated;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County this 19th day of October, that it hereby accepts the provisions of Article I, Section II of the Virginia Constitution, to be followed by Dinwiddie County and all employees thereof.

IN RE: AFFIRMATIVE ACTION PROGRAM--COMMUNITY DEVELOPMENT
BLOCK GRANT FUNDS

Upon motion of Mr. Robertson, seconded by Mr. Hargrave, Mr. Robertson, Mr. Hargrave, Mr. Clay, Mr. Bennett, Mr. Weber voting "aye", the following affirmative action plan was adopted for Community Development Block Grant Funds:

WHEREAS, Dinwiddie County, Virginia has been selected by the Department of Housing and Community Development to participate in funding under the Community Development Block Grant Program for FY 83-84; and

WHEREAS, it is the desire of the Dinwiddie County Board of Supervisors to participate in the CDBG Program for FY 83-84; and

WHEREAS, Section 3 of the Housing and Urban Development Act of 1968 requires for CDBG fund activities that an Affirmative Action Program be adopted;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia this 19th day of October, 1983, that the following will serve as the County's Affirmative Action Program:

1. The Dinwiddie County Board of Supervisors designates as its Section 3 covered project area the boundaries of Dinwiddie County.
2. The Dinwiddie County Board of Supervisors, its contractors, and designated third parties shall, in utilizing Community Improvement Grant funds, utilize businesses and lower income residents within the County in carrying out all activities, to the greatest extent feasible.
3. In awarding contracts for work and for procurement of materials, equipment or services the Dinwiddie County Board of Supervisors, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the County.
 - (a) The Dinwiddie County Board of Supervisors shall ascertain what work and procurements are likely to take place through the Community Improvement Grant funds.
 - (b) The Dinwiddie County Board of Supervisors shall ascertain through various and appropriate sources including advertisements in the following newspaper:

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to notify those business concerns covered by Section 3 which are likely to provide materials, equipment and services which will be utilized in the activities funded through the Community Improvement Grant.

- (c) The identified business concerns shall be apprised of opportunities to submit bids, quotes or proposals for

work or procurement contracts which utilize Community Improvement Grant funds.

(d) To the greatest extent feasible the identified businesses and any other project area business concerns shall be utilized in activities which are funded with the Community Improvement Grant.

4. In the utilization of trainees or employees for activities funded through the Community Improvement Grant, the Dinwiddie County Board of Supervisors, its contractors, and designated third parties shall take the following steps to utilize lower income persons residing in Dinwiddie County.

(a) The Dinwiddie County Board of Supervisors, in consultation with its contractors (including design professionals), shall ascertain the types and number of positions for both trainees and employees which are likely to be utilized during the project funded by the Community Improvement Grant.

(b) The Dinwiddie County Board of Supervisors shall advertise, through the following source, the availability of such positions in:

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with information on how to apply.

(c) The Dinwiddie County Board of Supervisors, its contractors, and designated third parties shall be required to maintain a record of inquiries and applications, by project area, of residents who respond to advertisements, and shall maintain a record of the status of such inquiries and applications.

(d) To the greatest extent feasible, the Dinwiddie County Board of Supervisors, its contractors, and designated third parties shall utilize lower income project area residents in filling training and employment positions necessary for implementing activities funded by the Community Improvement Grant.

5. In order to ascertain substantial compliance with the above affirmative actions and Section 3 of the Housing and Community Development Act of 1968, the Dinwiddie County Board of Supervisors shall keep, and require to be kept by contractors and designated third parties, listings of all persons employed and all procurements made through the implementation of activities funded by the Community Improvement Grant. Such listings shall be complete and shall be verified by site visits and interviews, crosschecking of payroll reports and invoices, and through audits, if necessary.

IN RE: DONALD ANDREWS

Mr. Donald Andrews asked the Board what had been settled on the road to the recreation area across from the high school. Mr. Hargrave advised him something was being done and suggested he talk with the School Board.

IN RE: BINGO AND RAFFLE PERMIT--DARVILLS RURITAN CLUB

Upon motion of Mr. Bennett, seconded by Mr. Hargrave, Mr. Bennett, Mr. Hargrave, Mr. Clay, Mr. Robertson, Mr. Weber voting "aye", the following resolution was adopted:

WHEREAS, the Darvills Ruritan Club has made application to the Board of Supervisors for a Bingo & Raffle permit; and

WHEREAS, the Club meets the requirements as set forth in Sec. 18.1-340 of the Code of Virginia and has filed the required \$10 fee;

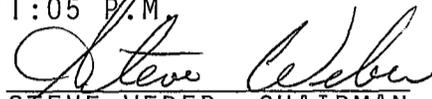
NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Dinwiddie County, Virginia that the Darvills Ruritan Club is hereby granted a Bingo & Raffle Permit for the year 1983.

IN RE: EXECUTIVE SESSION

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Clay, Mr. Bennett, Mr. Weber voting "aye", pursuant to Sec. 2.1-344 (1) of the Virginia Freedom of Information Act, the Board moved into Executive Session at 10:45 P.M. to discuss personnel matters. The meeting reconvened into Open Session at 11:03 P.M.

IN RE: ADJOURNMENT

Upon motion of Mr. Hargrave, seconded by Mr. Robertson, Mr. Hargrave, Mr. Robertson, Mr. Clay, Mr. Bennett, Mr. Weber voting "aye", the meeting adjourned at 11:05 P.M.


STEVE WEBER, CHAIRMAN

ATTEST:


W.C. KNOTT