

SUBDIVISION ORDINANCE GRAYSON COUNTY, VIRGINIA



ADOPTED JULY 1, 1977
BY THE
GRAYSON COUNTY BOARD OF SUPERVISORS

AMENDED MARCH 13, 1978
AMENDED JULY 8, 1986
AMENDED JULY 9, 1996

PREPARED BY
GRAYSON COUNTY PLANNING COMMISSION

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RESOLUTION RECOMMENDING
SUBDIVISION ORDINANCE
FOR
GRAYSON COUNTY, VIRGINIA
TO THE
BOARD OF SUPERVISORS

Whereas, the Planning Commission has made careful and considerable studies of the subdivision of land and in keeping with the intent of Title 15.1, Chapter XI, Article 7, Section 15.1-465 through 15.1-485 Et. Seq., of the Code of Virginia of 1950 and amendments thereto; and

Whereas, Section 15.1-465 of the Code of Virginia directs every jurisdiction within the state to adopt an ordinance to assure the orderly subdivision of land by July 1, 1977;

Be It Therefore Resolved that the Grayson County Planning Commission recommends adoption of the proposed subdivision ordinance; and

Be It Further Resolved that it is recommended that the Grayson County Planning Commission be appointed as the Administrator of the Ordinance; and

Be It Further Resolved that it is recommended that a joint public hearing of the Board of Supervisors and the Planning Commission be held to satisfy the Virginia Area Development Act.

Adopted: February 17, 1977

Guy W. Halsey, Chairman
Grayson County Planning Commission

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An ordinance establishing regulations to assure the orderly subdivision and development of land in Grayson County, Virginia, in accordance with the Code of Virginia, Title 15.1, Chapter 11, Article 7, to require the platting and recordation of subdivisions and to provide for the administration and enforcement thereof.

ARTICLE 1 – TITLE, AUTHORITY AND JURISDICTION

- 1-1 This ordinance, which shall be known and may be cited as the “Subdivision Ordinance of Grayson County, Virginia”, is adopted pursuant to the authority of Article 7, “Land Subdivision and Development”, of the Virginia Planning Act, Code of Virginia 1950, as amended. It shall apply to all subdivision of land in Grayson County as defined herein, including condominium development as defined by the Condominium Act, Title 53, Chapter 4.2, Code of Virginia, 1950, as amended.

ARTICLE 2 – PURPOSE

- 2-1 The general purpose of this ordinance is to establish certain subdivision standards and procedures for Grayson County, Virginia. It is part of a long-range plan to guide and facilitate the orderly beneficial growth of the county, and to promote the public safety, convenience, comfort, prosperity, and general welfare. These standards and procedures can provide a guide for the change that occurs when lands and acreage become urban in character as a result of residential, commercial, or industrial development, and can make possible the provision of public services in a safe, adequate, and efficient manner. Subdivided land sooner or later becomes a public responsibility in that roads and streets must be maintained and numerous public services customary to urbanized areas must be provided. This ordinance assists the community in meeting these responsibilities.
- 2-2 More specifically, the regulations included herein are designed to bring about the coordination of streets within subdivisions with other existing and planned streets; to provide for the safe and efficient circulation of traffic; to avoid hazardous intersections and dangerous conditions; to provide adequate drainage, and water and sewer systems; to establish construction standards for streets and other improvements; to lessen flood damage and to control erosion and sedimentation; to insure that land is platted and developed in a way that is consonant with the efficient and economic use of public funds; to require the proper legal description and monumenting of subdivided land; and to assure that the purchasers of lots are offered a commodity that is suitable for development and use.

ARTICLE 3 – INTERPRETATION AND DEFINITIONS

For the purpose of this ordinance, certain words and terms shall be interpreted as follows:

- 1) The word “county” shall mean Grayson County, Virginia.
- 2) The Words “Board of Supervisors” shall mean the governing body of Grayson County, Virginia.
- 3) The words “Planning Commission” shall mean the Planning Commission of Grayson County, Virginia.
- 4) The words “Highway Department” shall mean the Virginia Department of Highways and Transportation.
- 5) The word “lot” includes the words “plot” and “parcel”.
- 6) The word “shall” is mandatory and not discretionary.
- 7) The word “may” is permissive.
- 8) All distances and areas refer to measurement in a horizontal plane.
- 9) Any reference to the ordinance includes all ordinances amending or supplementing the same.

For purposes of this ordinance, certain words and terms shall be defined as follows:

- 1) **Administrator**: The official designated by the Board of Supervisors to administer and enforce this ordinance.
- 2) **Block**: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, or shore lines of waterways.
- 3) **Building**: any structure built and/or used for the support, shelter, or enclosure of person, animal, chattel, or moveable property of any kind, except as stated in Article 13.
- 4) **Building Setback Line**: A line or lines within a lot or other parcel of land so designated on a recorded plat or otherwise established by law which in front of, or behind of no building or structure shall be erected.

- 5) **Cul-de-sac**: A local public street having only one end open to traffic and the other end being permanently terminated by an appropriate turn-around for the safe and convenient reversal of traffic movement.
- 6) **Development**: The term development means 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, industrial, or residential purpose. The term “development” shall not be construed to include any property which will be principally devoted to agricultural production.
- 7) **Easement**: A grant by a property owner of the use of land for a specific purpose or purposes.
- 8) **Final Plat**: The map or plan of a subdivision of land which meets all the requirements of this ordinance, including any accompanying material, as described in Article 7.
- 9) **Frontage**: The length of the property line of any lot, lots, or tract of land measured along a public street, road or highway against which land abuts.
- 10) **Highway Engineer**: The Resident Engineer employed by the Virginia Department of Highways and Transportation serving Grayson County.
- 11) **Improvements**: Public utilities, circulation and drainage facilities, including but not limited to—streets, storm and sanitary sewer systems; curbs and gutters; culverts; catch basins and other drainage structures; water lines and fire hydrants; sidewalks; street signs.
- 12) **Lot**: A portion of a subdivision or any other parcel of land intended for transfer of ownership, or for building development, or both.
- 13) **Mobile Home**: The term mobile home shall mean any structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or forty body feet or more in length, or when erected on site is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein.
- 14) **Owner**: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to the land sought to be subdivided under this ordinance.
- 15) **Permanent Living Facility**: The term permanent living facility shall mean any building permanently affixed to the land that can be used as living quarters for human beings, either on a part-time or year-round basis.

- 16) **Preliminary Plat**: The map or plan of a subdivision of land which meets all the requirements of this ordinance, including any accompanying material as described in Article 6.
- 17) **Recreational Vehicle**: The term recreational vehicle shall mean any structure, transportable in one or more sections, which in the traveling mode is less than eight feet in width or less than forty body feet in length, or when erected on site is less than 320 square feet, and which is built on a permanent chassis and designed to be used as living quarters for human beings with or without a permanent foundation. The term shall include pickup truck campers, converted buses, or similar devices used for temporary living quarters which:
- (a) Can operate independent of connections to external sewer, water, and electrical systems; and
 - (b) Contains water storage facilities and may contain a lavatory, kitchen sink, and/or bath facilities.
- 18) **Re-subdivision**: An authorized change in property lines of a recorded subdivision.
- 19) **Shoreline Access Subdivision**: The term shoreline subdivision shall mean the division of land into three or more lots or parcels, access shall mean physical access of no less than 100 feet, for the purpose of transfer of ownership for access to any river, stream or lake area for the purpose of boating, fishing, swimming, picnicking, camping or related water recreation activities only. No lot or parcel in any shoreline access subdivision shall contain any building, permanent living facility, or mobile home at any time. No recreational vehicle or camping vehicle of any type shall be permitted unless the lot has a sewage system approved by the Virginia Department of health. Wheels cannot be removed from any vehicle placed on these lots. The term includes re-subdivision, and where appropriate to the context, shall relate to subdivision and the process of subdividing. (Note: Lot of less than five (5) acres must front on existing street.)
- 20) **Street**: A way for vehicle traffic, whether designated as a street, highway, road or however otherwise designated. For the purposes of this ordinance, the following definitions apply:
- a) **Existing Street**: Any road or highway used for vehicle traffic that is a part of the Virginia Department of Highways and Transportation (VDH&T) highway system as evidenced by the maintenance of said streets by the VDH&T and the assignment of a highway reference number by the VDH&T, or any street shown on an approved preliminary plat or final plat that has proper bond posted or conforms to the VDH&T construction standards for acceptance into the VDH&T system for maintenance by the VDH&T. As evidenced by signatures on the plat, streets and

private streets are the only streets, irregardless of how designated, that can be used as a means to subdivide.

- b) **Private Street**: Streets in Shoreline Access Subdivisions and Class II Subdivisions which are designated private and are used only for access for the property owners within said subdivision. Said streets are not for public use but must comply too Article 8-2.2 of this ordinance.
 - c) **New Street**: Any street used for subdividing other than existing street.
- 21) **Subdivider**: Any person, firm or corporation who creates a subdivision Class I, subdivision Class II, or shoreline access subdivision as defined in this ordinance.
- 22) **Subdivision Class I**: The term subdivision means the division of a parcel or parcels of land into less than 5 acres for the purpose of transfer of ownership or building development. The term includes re-subdivision, and when appropriate to context, shall relate to re-subdivision and the process of subdividing.
- 23) **Subdivision Class II**: The term subdivision Class II shall mean the division of land into more than 5 acres for the purpose of transfer of ownership for low density development. No lot or parcel in a Class II Subdivision shall contain more than one dwelling unit. The term includes re-subdivision and when appropriate to the context shall relate to re-subdivision and the process of subdividing.

ARTICLE 4 – PREPARATION AND RECORDING OF SUBDIVISION PLATS

- 4-1 Any owner, proprietor, or developer of any tract of land situated within the jurisdiction of this ordinance, who subdivides such tract, or who causes any new streets or public areas to be created, shall cause a plat to be made of such subdivision and shall cause said plat to be recorded in the office of the Clerk of the Circuit Court of Grayson County. The plat shall be in accordance with the provisions of this ordinance.
- 4-2 No plat of any type subdivision shall be recorded until each plat shall have been approved, and such approval evidenced thereon, in accordance with the provisions of this ordinance.
- 4-3 No permit shall be issued for the erection or occupancy of any structure or building to be located in any subdivision, a plat whereof is required to be recorded pursuant to the provisions of this ordinance, until such plat shall have been recorded as herein provided.
- 4-4 No lot shall be sold in any type subdivision before the plat has been recorded and if new streets are proposed, until proper bond is posted or said roads have been constructed and said construction has been approved by the County or Virginia Department of Highways and Transportation.
- 4-5 Every plat submitted for recordation shall be prepared by a certified professional engineer or land surveyor licensed by the State of Virginia, who shall endorse upon each such plat a certificate signed by him setting forth the source of the 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. No provision of this ordinance shall preclude the preparation of a preliminary plat by an architect, landscape architect or land planner.
- 4-6 Every such plat shall contain a statement as follows: “The platting or dedication of the following described land (here insert a correct description of the land subdivided) is with the free consent and in accordance with the desire of the undersigned owners, proprietors and trustees, if any”. The statement shall be signed by such persons and duly acknowledged before some officer authorized to take acknowledgement of deeds.
- 4-7 The recordation of the final plat shall operate to transfer to the County or State, in fee simple, such portion of the premises platted as is on such plat set apart for streets, or other public use and to transfer to said County any easement indicated on such plat to create a public right of passage over same.
- 4-8 The preparation and recording of plats shall be done in accordance with the provisions of Articles 4 and 7 of this ordinance.

ARTICLE 5 – PROCEDURE FOR REVIEW AND APPROVAL OF SUBDIVISION

5-1 Application

Whenever any subdivision of land is proposed, the sub-divider or his agent shall apply in writing to the Planning Commission for approval of a preliminary plat, and submit five copies thereof prepared in accordance with Article 6 of this ordinance.

Subdivider shall submit a fee with this application in accordance with Article 11 of this ordinance. This application shall be submitted at least seven days prior to the meeting of the Planning Commission at which it is to be considered.

5-2 Preliminary Plat Approval

Following review of the preliminary plat the Planning Commission shall communicate within sixty (60) days in writing with the sub-divider, informing him of action taken, and stating specific changes, if any, that are required in the preliminary layout. If for any reason the plat is disapproved, the reasons for such disapproval shall be given. In cases where approval of the plat is conditional upon changes being made in the subdivision layout, one copy of the plat shall be returned to the sub-divider with the desired changes marked thereon.

5-3 Engineering Drawings and Specifications

After receiving notice of approval of the preliminary plat, the sub-divider shall submit to the Administrator four copies of plans and specifications for all improvements to be installed. The Administrator shall advise the sub-divider concerning the character and extent of improvements and the estimated amount of the performance bond or other surety that will be required before final approval of the subdivision plat. The Administrator, after consultation with the Resident Engineer of the Virginia Department of Highways and Transportation, shall advise the sub-divider of approval or disapproval in writing within sixty (60) days.

5-4 Installation of Improvements

The sub-divider shall, prior to filing with the Planning Commission a final plat for approval, complete all improvements and installation of utilities required under these regulations; or in lieu of completing said improvements, the sub-divider shall furnish the County with a performance bond or certified check as required by Article 10 of this ordinance.

5-5 **Submittal of Final Plat**

The sub-divider shall, within twelve months after official notification of approval by the Planning Commission in respect to the preliminary plat, apply in writing to the Planning Commission for approval of the final plat, and submit the original and three copies thereof prepared in accordance with Article 7 of this ordinance. This application shall be submitted at least seven (7) days prior to the meeting of the Planning Commission at which it is to be considered. The sub-divider may file for approval only that portion of the approved preliminary plat which he proposes to record and develop at that time.

5-6 **Final Plat Approval**

Unless an application for final approval is made within twelve (12) months after approval of the preliminary plat, said approval of the preliminary plat shall become null and void. The Planning Commission shall, within forty-five (45) days from the date of submittal of the final plat, approve, or disapprove such plat; and failure to act within forty-five (45) days shall be deemed approval. Approval of the final plat by the Planning Commission shall be shown on the face of the plat by the signature of the Chairman. The approval of the plat shall not be finally effective until the sub-divider has made or provided for the improvements required pursuant to Article 10 of this ordinance to the satisfaction of the Board of Supervisors and this approval has been attested by the signature of the Chairman of the Board of Supervisors on said plat.

5-7 **Recordation**

Unless the sub-divider shall have said plat recorded in the office of the Clerk of the Circuit Court of Grayson County within thirty (30) days after final approval by the Planning Commission, and before any lots are sold in said subdivision, approval of the final plat shall become null and void.

ARTICLE 6 – THE PRELIMINARY PLAT

- 6-1 The sub-divider shall submit to the Planning Commission five (5) copies of the preliminary plat, at a scale of one hundred feet (100') to the inch, which shall show thereon:
- 1) Proposed subdivision name and location.
 - 2) Names and addresses of the owner of record, sub-divider, the person who prepared the plat, and holders of any easements affecting the property.
 - 3) The names of all subdivisions immediately adjacent, and the names of the owners of record of adjacent un-subdivided property.
 - 4) Date of drawing, true north point, and scale.
 - 5) Survey of the tract boundary.
 - 6) Significant natural landscape features, including rock outcrops and large trees.
 - 7) Location, width and names of all existing or platted streets within or adjacent to the subdivision. The location of existing buildings, easements, railroad rights-of-way, utility lines and drainage ways.
 - 8) Preliminary plans for all utilities, including but not limited to: the proposed method of accomplishing surface drainage, water supply, and sewage disposal. Preliminary designs for any bridges and culverts that may be required.
 - 9) Location and dimensions of proposed streets, lots, building lines, and easements. Identify lots by number and streets by name.
 - 10) Proposed use of all lots after being subdivided.
 - 11) Designation of all parcels of land proposed to be dedicated or reserved for public use and the conditions, if any, of such dedication.

6-2 Vicinity Map

The preliminary plat shall include a vicinity sketch map at a scale of 2,000 feet to the inch, showing the relationship of the subdivision to its environs. This map shall encompass an area extending at least one mile on each side of the subdivision and shall identify roads, political boundaries, other subdivisions, and important landmarks and natural features.

6-3 Supporting Information

The following information shall be furnished; either set forth on the face of the plat or submitted as separate documents:

- 1) All subdivisions shall conform to Grayson County Soil Erosion and Sediment Control Ordinance.
- 2) Signed statements of the appropriate officials concerning the availability of water, sewer, gas and electricity to the proposed subdivision.
- 3) Private restrictions, if any, proposed to be included in the deeds.
- 4) All restrictions, proposed to be included on the plat, and any restrictions required by the County of Grayson shall be included in the deeds.

ARTICLE 7 – THE FINAL PLAT

7-1 Format and Scale

The final plat shall be drawn on linen or other durable transparency of scale-true material with permanent drafting ink, at a scale of one hundred feet to the inch. The plat shall be drawn on one or more sheets, the dimensions of which shall not exceed 22 X 17 inches. Where more than one sheet is necessary to show the entire plat, match lines shall be clearly indicated. The sub-divider shall submit to the Planning Commission the original and three prints of the final plat. The sub-divider shall provide a plat of the entire subdivided property on a scale sufficient to include entire property on a single plat in addition to all others required.

7.2 Preparation and Certificates

The final plat shall be prepared by a certified professional engineer or land surveyor licensed by the State of Virginia. It shall contain the certificates and statements required by Article 4 of this ordinance. A place shall be provided on the plat to receive the signature of:

- 1) Chairman of the Planning Commission
- 2) Chairman of the Board of Supervisors
- 3) Designated official of the health Department indicating water and sewer approval, and
- 4) Designated official of the Department of Highways and Transportation where new state maintained roads or streets are required.

Any division of property shall be accompanied by a plat in addition to a deed of transfer and shall be reviewed by the Planning Commission or its designee to establish compliance. Said plat shall be accompanied by a signature sheet and shall bear the signatures as required by Article 4 of the Subdivision Ordinance.

7-3 Content

The final plat shall conform to the preliminary plat as approved and shall show the following:

- 1) Name and location of subdivision.
- 2) Name and address of record of owner and sub-divider.
- 3) Date of drawing, true north point and scale.

- 4) Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of lots. Bearings shall be shown to the nearest ten seconds and dimensions to the nearest hundredth of a foot. Data of all curves shall be shown in detail at the curve or in a curve data table containing the following: delta, radius, arc, tangent, chord, chord bearing and degree of curve.
- 5) Location of monuments and property markers.
- 6) Record name of adjoining subdivisions and names of record of owners and adjoining un-subdivided land.
- 7) Name and right-of-way width of each street or other right-of-way.
- 8) Location, dimensions and purpose of all easements.
- 9) Abutting streets and roads, with names and right-of-way widths.
- 10) Designating numbers or symbols for all lots and blocks.
- 11) In the case of the re-subdivision of existing recorded lots, existing lot lines shall be shown by dotted lines and the re-subdivision by full lines.
- 12) Purpose for which sites, other than residential lots, are dedicated or reserved.
- 13) Building setback lines on all lots.
- 14) Private restrictions, if any, proposed to be included in the deeds.
- 15) Where temporary turnarounds are required by this ordinance, they shall be shown on the plat and the following notation shall be made on the plat: "Any area on this plat designated as a temporary turnaround shall be constructed and used as other streets in the subdivision until such time as (insert here the name of the street) is extended to join another street and the cul-de-sac ceases to exist. Thereupon the land in the temporary turnaround area which extends beyond the normal right-of-way line of the street will be vacated for street purposes and will revert to adjoining lot owners".

7-4 **Requirements for Survey**

All dimensions, both linear and angular, shall be determined by an accurate control survey which must close and balance within a limit of one foot in five thousand. A bearing and distance tie between at least two permanent monuments on the interior boundary of the subdivision and a bearing and distance tie to a corner of the subdivision from an outside reference marker, in accordance with Article 9 of this ordinance, shall be made and shown on the plat.

7-5 **No Guarantee**

Approval by the Administrator of the preliminary plat does not constitute a guarantee of approval of the final plat.

ARTICLE 8 – GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

8-1 The sub-divider shall observe the following general requirements and principles of all land subdivision:

1) **Suitability of Land**

Land which the Planning Commission determines to be unsuitable for development because of vulnerability to flooding, poor drainage, or other characteristics likely to be harmful to the safety, welfare or health of presently adjoining, or future residents, or to the public, shall not be permitted for development unless adequate methods to correct all such hazards are devised, and approved by the Planning Commission. In determining land unsuitable for development, the following guidelines shall be used to identify areas where building construction should not be allowed:

- a) Wetlands, swamps, etc.:
- b) Areas critical to the provision of water sources (i.e. springs, fragile watersheds, etc.);
- c) Areas subject to geological hazards (faults, landslides, etc.);
- d) Areas subject to flooding (100 year flood plains or other natural drainage ways;
- e) Areas having a slope exceeding 25 percent
- f) Areas within 150 feet of any waterways (streams, swamps, etc.)
- g) Areas or lots whose access from the State maintained street is such that access to the building site cannot be readily obtained. (Examples are areas where the entrance road exceeds 18 percent grade or cannot be constructed and contained on the building lot.)

2) **Conformity With Official Plans**

All proposed subdivision Class I, subdivision Class II, and shoreline access subdivision shall conform to any adopted plans for the county, and shall be in accord with planning policies of the county. The sub-divider shall make available for public acquisition such lands in the area to be subdivided as are designated by official plans for parks, playgrounds and schools or other public buildings. Whenever said area includes any part of a major arterial or collector street as designated on an official plan, appropriate provision for the right-of-way thereof shall be incorporated in the subdivision plat.

3) **Preservation of Natural Features**

In the design of any subdivision of land careful consideration will be given to preserving natural features and amenities and to the preservation of sites and building having historic value.

4) **Large Tracts**

Where land is subdivided into larger parcels than normal building lots, such parcels shall be arranged in such a way that future re-subdivision is feasible.

5) **Neighborhood Considerations**

Street and block layout shall be made with consideration of the most advantageous development of adjoining tracts and the entire neighborhood.

6) **Restrictions Recorded**

All restrictions listed on plat shall be recorded in the deed transferring the title to any lot so established by the plat.

7) **Advertising Standards**

It shall be the duty of any developer or seller to set forth in any deed, advertising brochure, or other advertisement, in type at least as large, or larger than the main body of the deed, brochure, or advertisement, specific information pertaining to the following:

- a) Whether officially approved water and sewage facilities are available or not;
- b) The type of water and sewage facilities serving the lot(s);

- c) The fact that the streets do not meet the minimum design standards of the Virginia Department of Highways and Transportation and therefore will not be taken into the State secondary road system for maintenance;
 - d) The method of maintenance and the person(s) responsible for maintaining streets within the subdivision;
 - e) The fact that no Grayson County School bus, trash collection service or US Mail Service will be provided on said street;
 - f) The fact that Farmer's Home Administration will not finance any home along a privately maintained street.
- 8) Whether or not the lots are part of a Subdivision Class I, Subdivision Class II, or Shoreline Access Subdivision;
- 9) For Shoreline Access Subdivisions;
- a) The fact that, by definition, no building, permanent living facility, or mobile home is permitted to be located on a lot in a shoreline access subdivision at any time, or any recreational or camping vehicle unless connected to an approved sewer facility approved by the Virginia Department of Health.

8-2 Design Standards for Streets in All Subdivisions

In the layout of streets the sub-divider shall comply with the following:

- 1) Streets shall be coordinated with the existing street system and provisions shall be made for continuity of principal streets as appropriate.
- 2) Where, in the opinion of the Planning Commission, it is desirable to provide for future street access to adjoining un-subdivided property, proposed streets shall be extended to the boundary of such property. Where one or more lots front on any such street extension, a temporary turnaround shall be provided.
- 3) Local streets shall be so laid out that their use by through traffic will be discouraged.
- 4) All dead-end streets, or cul-de-sacs, shall terminate in a turnaround having a minimum right-of-way diameter of 100 feet.
- 5) Less than full width streets shall not be permitted.

- 6) Where land in a proposed subdivision is adjacent to a major arterial highway, the Planning Commission may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, or such other treatment as may be necessary for protection of residential properties and to afford separation of through and local traffic.
- 7) In general, streets shall be planned in harmony with existing topography.
- 8) Streets shall intersect at right angles or as nearly as practicable. In no case shall the angle of intersection be less than seventy-five degrees unless approved by the Planning Commission upon recommendation of the Resident Road Engineer for an unusual condition of terrain.
- 9) Street jogs or off sets at intersections shall be avoided.
- 10) Intersections with primary highways shall be at least 1,000 feet apart, measured from centerline to centerline.
- 11) Property lines at street intersections shall be rounded with a radius where the Planning Commission determines such to be desirable for reasons of safety.
- 12) Proposed streets which are obviously in alignment with other already existing and named streets shall bear the names of the existing streets. In no case shall the names of proposed streets duplicate existing street names irrespective of the use of the suffix street, avenue, boulevard, drive, way, place land or court. Street names shall be indicated on the preliminary and final plats, and shall be approved by the Administrator. Names of existing streets shall not be changed except by approval of the governing body.
- 13) A cross section showing the proposed street construction, depth and type of base, type of surface, etc.

8-2.1 **Design Standards for Streets in Subdivisions Not Classified as Recreational Subdivisions**

- 1) Streets shall be constructed in accordance to design standards established by the Virginia Department of Highways and Transportation.
- 2) A profile or contour map to a scale of not less than one (1) inch to one hundred (100) feet showing the proposed grades for the streets and drainage facilities including elevations of existing and proposed ground surface at all street intersections and at points of major grade change along the center line of streets together with proposed grade lines connecting therewith.

8-2.2 **Design Standards for Streets in Subdivisions Class II**

- 1) The roadway shall be at least sixteen (16) feet in width, exclusive of shoulders and side ditches. Where appropriate, side ditches along the sides of the road shall be constructed and it is recommended that all ditches be at least two (2) feet in width and one (1) foot in depth. Additionally, where appropriate, drain pipes shall be installed as designed. All roads in Class II subdivisions shall have a right-of-way of at least forty (40) feet.
- 2) Roadbed construction shall consist of at least four (4) inches of stone or base quality material. If stone is to be used, it should be a minimum of $\frac{3}{4}$ inch crusher run stone. Road grade should not exceed 18 percent. In no instance shall road grade exceeding 12 percent be permitted for distances over 200 feet in length. A profile map shall be submitted with the preliminary plat. Said profile shall delineate the roadbed grades, drain pipes, and proposed erosion control measures.
- 3) A contour map to a scale of not less than one (1) inch to two hundred (200) feet showing the proposed grades for the streets and drainage facilities including elevations of existing and proposed ground surface at all street intersections and at points or major grade change along the center line of streets together with proposed grade lines connecting therewith. In addition, any evidence of erosion, siltation, and any other soil problems, and the extent and nature of existing vegetation shall be shown.

8-3 **Design Standards for Blocks**

The lengths, widths, and shapes of blocks shall be determined with due regard to: provision of adequate building sites suitable to the special needs of the type of use contemplated; requirements of the zoning ordinance, if and when adopted; convenience and safety of vehicular and pedestrian circulation; and convenient access to water areas.

- 1) The length of residential blocks shall generally not exceed 1,600 feet nor be less than 300 feet.
- 2) Provision for pedestrian walks across blocks may be required by easement or dedication when determined to be essential by the Planning Commission to provide circulation or convenient public access to facilities such as schools, parks, and water areas.
- 3) Blocks shall have a minimum width of 200 feet and shall accommodate two rows of lots, except where topography may not permit, or abutting an arterial highway which is not used for access to the lots.

8-4 **Design Standards for Lots**

The size, shape, and orientation of lots shall be appropriate for the location of the subdivision of land and the type of development and use contemplated.

- 1) Except as provided herein, residential lots for single family detached dwellings shall have a minimum width at the building line of 80 feet. All lots shall have an average depth of at least 100 feet, and single-tier lots shall have an average depth of at least 125 feet. Smaller lots may be permitted in the case of cluster development design, the development plan for which is submitted for consideration as part of a planned unit development.
- 2) Lots for townhouses shall have a minimum width of 20 feet.
- 3) Depth and width of parcels reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities (five (5) spaces per 1,000 square feet of floor space) required.
- 4) Side lot lines shall be substantially at right angles or radial to the street.
- 5) Corner lots shall have extra width as necessary to meet building line requirements on both streets.
- 6) The subdividing of land shall be such as to provide, by means of a public street, each lot with satisfactory access to an existing street.
- 7) All remnants of lots below minimum size left over after subdividing of a tract must be added to adjacent lots, or otherwise disposed of rather than allowed to remain as unusable parcels.
- 8) Where the land covered by a subdivision includes two or more parcels in separate ownership, and lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to single ownership, simultaneously with the recording of the final plat. Said deed is to be deposited with the clerk of the court and held with the final plat until the subdivider is ready to record same, and they both shall then be recorded together.
- 9) Lots intended for business or industrial use shall be designed specifically for such purposes with adequate space set aside for off-street parking and delivery facilities.

8-5 **Lot Size**

- 1) The minimum lot size in any area shall be in accordance with this Article until such time as a zoning ordinance shall have been passed except where public water and/or public sewer systems are not available, the Administrator may, in accordance with recommendations of the health officer, require such minimum lot sizes be increased. These recommendations shall be submitted to the Administrator in writing and evidence by notations on the plat. The health officer shall be guided by appropriate tests in determining the area required for the sanitary and safe disposal of septic tank effluent.
- 2) Minimum lot sizes for building development in Class I subdivisions are as follows:
 - a) Lot Size – Public Water and Public Sewer: Residential lots served by both public water and public sewer systems shall be 80 feet or more in width at the building line and 10,000 square feet or more in area.
 - b) Lot Size – Public Water or Public Sewer: Residential lots served by only one of public water or public sewer systems shall be 100 feet or more in width at the building line and 15,000 square feet or more in area.
 - c) Lot Size – Neither Public Water nor Public Sewer: Residential lots served by neither public water nor public sewer systems should be 150 feet or more in width at the building line and shall be no less than 100 feet in width at the building line and 30,000 square feet in area.
- 3) Minimum lot sizes for Class II Subdivisions – Minimum lot size should be 400 feet or more in width and shall be no less than 100 feet in width and five (5) acres in area. Said lot width shall be determined at the frontage to the public access or private street.
- 4) Lot size requirements for shoreline access subdivisions – Lot size shall be approved at the discretion of the Planning Commission but in no case shall any lot be less than 100 feet in width or less than 30,000 square feet in area excluding roadways and waterways. Sewer system may be allowed for use by recreational vehicles provided such systems are approved by the Virginia Department of Health prior to installation.
- 5) Greater lot sizes may be required where individual septic tanks and/or individual wells are used if the health officer determines that there are factors of drainage, soil condition, or other conditions to cause potential health problems. The Administrator shall require that data requested by the health officer be submitted as a basis for passing upon a subdivision dependent upon septic tanks as a means of sewage disposal. Said

approval by the health officer shall be evidence by the signature on the plat.

- 6) Satisfaction of lot dimensions or area shall not be achieved by including land covered by water, flowage easements, or land within a floor plain.
- 7) Statement regarding road frontage and building lines – No lot shall have less than forty (40) foot of road frontage (100 feet in a Class II subdivision). Should the subdivision desire to have less than 100 feet of road frontage building line shall be established by the subdivider which requires proper lot widths at the building line.

8-6 **Easements**

Easements across lots or centered on rear or side lot lines shall be provided for utilities and surface drainage where necessary and shall be at least 12 feet wide. The plat shall clearly state that it is the obligation of abutting property owners to keep all drainage ditches open along said easements and this provision shall be included in the deed of each lot affected.

ARTICLE 9 – MONUMENTS AND REFERENCE POINTS

9-1 Monuments, to serve as permanent reference points, shall be placed in accordance with the following requirements:

- 1) At least one corner of the subdivision shall be designated by bearing and distance tie from a readily discernible reference marker. If a corner is within 2,000 feet of a U. S. Coast and Geodetic survey station or a station of the state coordinated grid system, then this corner shall be marked with a monument designated by computed coordinates to an accuracy of 1:10,000, and such monument shall be identified on the final subdivision plat. Where such reference station is not available, the tie shall be made to some permanent and readily identifiable landmark.
- 2) Monuments shall be placed in the ground at all corners and at angle points in the boundary lines of the subdivision, at all points of angles and curvature in the right-of-way lines of all streets, and at all lot corners within the subdivision.
- 3) At designated points in the outer boundary and at a minimum of at least two points in each block of the subdivision such monuments shall be designated as control points and shall be of stone or pre-cast concrete not less than four inches square or four inches in diameter and at least thirty inches long. In all other locations the monuments, or markers shall be steel or wrought iron pipe not less than three-fourths (3/4) inch or more than two inch in diameter and at least twenty-four inches long. The monument shall be flush with the finish grade.

ARTICLE 10 – REQUIRED IMPROVEMENTS

10-1 Improvements shall be provided as follows:

1) **Streets**

Streets shall be graded to the full width and in conformance with the approved cross sections and profiles. The base and surface shall be appropriate to the type of development and use contemplated. For new streets in Class I subdivisions, construction shall be in accordance with specifications and standards of the Virginia Department of Highways and Transportation, for acceptance into their system for maintenance. In any subdivision involving the construction of a new street, no lot or parcel shall be sold in said subdivision until said road has been fully constructed and said construction has been approved by the County, or appropriate bonds have been executed and approved by the Board of Supervisors.

2) **Drainage**

A drainage system shall be provided to insure adequate drainage of surface and storm water. The system shall be constructed and installed in accordance with plans and specifications approved by the Administrator.

3) **Water Supply**

Where a public water supply is reasonably accessible, the subdivider shall connect with the public supply and shall provide water mains and suitable water connection at each lot.

4) **Sanitary Sewers**

Where a public sanitary sewerage system is reasonably accessible the subdivider shall connect therewith and shall provide a connection for each lot.

5) **Other Improvements**

Curbs and gutters and sidewalks shall be installed in subdivisions where warranted by the type and density of development. Fire hydrants shall be

installed where a central water system is provided. In subdivisions where new streets are created, street name signs shall be installed. Said improvements, when required shall conform to specifications of the Highway Department and the Board of Supervisors.

10-2 **Performance Bond**

The cost of all improvements required by the provisions of this section shall be paid by the subdivider, or as much thereof as the Board of Supervisors shall direct. If the actual installation of improvements is not completed prior to the filing of an application for final plat approval, the subdivider shall execute an agreement and post a performance bond with surety or certified check in an amount equal to or greater than the estimated cost of the uncompleted improvements. The Board of Supervisors may require that the bond or other guarantee be greater than the estimated cost of improvements to allow for inflationary cost increases. The County shall hold the bond for a period of 12 months or less in the event that all remaining improvements covered by said bond or check are completed and approved by the County. If improvements have not been completed after 12 months have expired, the subdivider may be given an opportunity to ask the Board of Supervisors to vacate said plat. The subdivider shall have 30 days following the 12 month expiration date to request said vacation of plat. If such request is not made in the 30 day period designated, the County shall then cash said performance bond or certified check and proceed with the completion of remaining improvements. If request to vacate plat is made and request granted, said bond or check shall be returned to subdivider. If request is made and denied, the County may then proceed to cash said bond or check and complete remaining improvements.

ARTICLE 11 – FEES

- 11-1 There shall be a charge for the examination and review of every subdivision plat submitted to the Planning Commission. This fee shall be fifteen Dollars (\$15.00) for each subdivision plat plus two dollars (\$2.00) for each lot contained in the subdivision. This fee shall be paid to the Treasurer of Grayson County at the time an application is made for approval of the preliminary subdivision plat.

ARTICLE 12 – PENALTIES

- 12-1 Any owner, or any proprietor of any tract of land who subdivides that tract of land and violates any of the provisions of this ordinance shall be subject to fines as provided by Article 7, “Land Subdivision and Development,” of the Virginia Planning Act, Code of Virginia 1950, as amended. With each day the violation continues constituting a separate offense.
- 12-2 In addition to other remedies, the Board of Supervisors may institute any appropriate action or proceedings to prevent violation or attempted violation, or to prevent any act which would constitute such a violation.

ARTICLE 13 – EXCEPTIONS

13-1 No One Exempt

No person shall subdivide any tract of land that is located within the unincorporated area of Grayson County, Virginia, except in conformity with the provisions of this ordinance. In the event any land is divided, a copy of the plat shall be filed with the Administrator of this ordinance for information and reference.

13-2 Exceptions

- 1) The following shall not be deemed a subdivision:
 - a) The sale or exchange of property between adjoining lot owners, where such sale or exchange does not create additional building sites.
 - b) The division of land into parcels of five acres or more not involving any new street or easement and not classified as a Class II subdivision.
 - c) A bona fide division or partition of agricultural land for agricultural purposes.
 - d) A one time bona fide division of land for the members of the immediate family owning any such land for the purpose of constructing a home provided that the process of subdividing be recorded; that a right-of-way of at least 40 feet be dedicated connecting all land-locked parcels created by such division to an existing public road; and that Section 8-5 of this ordinance be complied with

- 3) For the purpose of this ordinance in a shoreline access subdivision the following shall not be deemed a building:
 - a) Any structure with a roof and no more than one wall. It must remain completely open on three sides and have no enclosed areas or partitioned walls.
 - b) Any structure with a roof and four walls which does not exceed nine (9) square feet of interior floor space measured around the interior outside walls. (No partitional walls allowed.)

ARTICLE 14 – AMENDMENTS

- 14-1 This ordinance may be amended from time to time by the Board of Supervisors in accordance with Section 15.1-341 of the Code of Virginia, 1950, as amended, as now or hereafter in effect.

ARTICLE 15 – LEGAL STATUS PROVISION

15-1 Certified Copies of Ordinance

Certified copies of this ordinance and all amendments thereof shall be filed in the office of the County Administrator, and in the office of the Clerk of the Circuit Court of Grayson County.

15-2 Separability

Should any section, subsection or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining part of the ordinance.

15-3 Effective Date

This ordinance will take effect and be in force from and after July 1, 1977.
Approved and duly recorded as follows:

Board of Supervisors	Vote
Dr. Palmer W. Fant	YEA
L. Jeff Jefferson	YEA
Fred Adams, Jr.	YEA
Gene O. Funk	YEA

SURVEYOR'S CERTIFICATE*

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 Grayson, Virginia, regarding the platting of subdivision with the County have been complied with.

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

State Certified Engineer (or Land Surveyor)

CERTIFICATE OF APPROVAL

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

Date

Chairman, Board of Supervisors

Date

Virginia Department of Highways
And Transportation (when required)

Date

Health Officer (when required)

Date

Chairman, Grayson County
Planning Commission

*The foregoing plat is not approved until all signatures have been obtained when required.

