

(3) Five copies of all other required information, including but not limited to the following, if applicable:

a. All offers of dedication and covenants governing the reservation and maintenance of undedicated open space, which shall bear the certificate of approval of the town attorney as to their legal sufficiency.

b. Such deed restrictions as may be imposed upon the property as a condition of sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided.

c. A certificate of appropriate approval of the state health department and/or state water control board, when required for the water supply or sanitary sewage disposal system for a proposed subdivision. If individual on-site sewage disposal systems are to be used, the applicant shall submit health department tentative approval of each lot in the subdivision as having a suitable site for a septic system at the stated lot size. This shall be done on a lot-by-lot basis. This tentative approval does not guarantee the issuance of a permit for a septic system when construction occurs. The state health department reserves the right to withdraw any tentative approval at the time a permit for a septic system is applied for.

d. State department of transportation approval of roads and drainage systems.

e. The performance bond, if required, in a form satisfactory to the town attorney and in an amount established by the planning commission upon recommendation of a designated engineer. The bond shall include a provision that the principal of the bond shall comply with all the terms of the final subdivision plat approval as determined by the town and shall include but not be limited to the performance of all required subdivision and off-site improvements or parts thereof. All improvements and land included in the irrevocable offer of dedication shall be dedicated to the town free and clear of all liens and encumbrances on the premises (see section 50-346(d)).

(Ord. of 6-29-1977, § 206)

**Sec. 50-287. Review of final plat.**

(a) *Review by planning commission.* Procedures for review of the subdivision final plat by the planning commission are as follows:

(1) When a final plat drawn in accordance with division 3 of this article has been officially submitted, such plat shall be reviewed by the planning commission at its next regularly scheduled meeting, provided such submission has occurred no less than seven calendar days prior to such meeting. At the discretion of the planning commission, the plat may be reviewed at a special meeting.

(2) The planning commission shall ensure that all requirements of this article (see division 4 of this article) and other town ordinances are met and that appropriate changes to the preliminary plat have been made, as required by the planning commission.

(3) If the review is favorable, the planning commission shall authorize its chairman, with the secretary so attesting, to endorse the record plat and one other paper print with the statement "Reviewed and Approved by the Town Planning Commission" together with the date of such action, to record such action in the minutes, and to forward to the town council.

(4) The record plat and one other paper print shall be forwarded to the town council.

(5) If the final plat is not approved, the reasons for such disapproval shall be transmitted in writing to the town council. Such disapproval shall be forwarded with the final plat

for review by the town council.

(b) *Review by town council.* Procedures for review of the subdivision final plat by the town council are as follows:

(1) The town council shall not approve any plats until such plats comply with all town ordinances or until such modifications are made, as needed. If not approved, the council shall return the plat to the subdivider with the deficiencies indicated thereon.

(2) Before acting on a final plat, the council may arrange for a public hearing with notice as provided for in Code of Virginia, § 15.2-2204.

(3) If the town council approves the final plat, the record plat shall be endorsed with the statement "Approved by the Town Council of the Town of Shenandoah" and signed by the mayor and the clerk, together with the date of action.

(4) A performance guarantee, cash, or other bond or a certificate of satisfactory installation of improvements as required shall be submitted before the final plat is finally approved and endorsed (see section 50-346(d)).

(5) The town council shall communicate the result of its review of the final plat to the applicant or his agent and the planning commission no later than 60 days after the application to review the plat was officially submitted for approval at the planning commission's review meeting.

(6) Should the town not comply with subsection (b)(5) of this section, the applicant may take action in accordance with Code of Virginia, § 15.2-2259, as amended.

(Ord. of 6-29-1977, § 207)

#### **Sec. 50-288. Recording of final plat.**

(a) After approval by the town council and with all endorsements indicated on the subdivision record plat, the subdivider shall record his record plat in the office of the clerk of the circuit court. No subdivision plat shall be recorded unless it bears the town approval and seal.

(b) Such plat shall be filed and recorded in the office of the clerk of the circuit court where deeds are admitted to record for the lands contained in the plat and indexed in the general index to deeds under the names of the owners of lands signing such plat and under the name of the subdivision.

(c) Any plat not recorded within six months after final approval by town council shall be considered void, and such approval shall be considered withdrawn.

(d) The recordation of such plat shall operate to transfer, in fee simple, to the town such portion of the premises platted as is on such plat set apart for streets, alleys or other public use and to transfer to the town any easement indicated on such plat to create a public right of passage over such, but nothing contained in this section shall affect any right of a subdivider of land validly reserved before the effective date of the ordinance from which this article is derived. Where the authorized town officials approve in accordance with this article a plat or replat of land therein, upon the recording of such plat or replat in the clerk's office wherein land records are maintained, all rights-of-way, easements or other interest of the town in the land included on the plat or replat, except as shown thereon, shall be terminated and extinguished, except that an interest acquired by the town by condemnation or by purchase for valuable consideration and evidenced by a separate instrument of record shall not be affected thereby.

(Ord. of 6-29-1977, § 208)

**Secs. 50-289--50-315. Reserved.**

**DIVISION 3.**

**SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED**

**Sec. 50-316. Sketch plat.**

(a) The sketch plat of a proposed subdivision shall be clearly and legibly drawn on white paper or on a print of a topographic map of the property at a scale of between one inch equals one foot and one inch equals 100 feet. This sheet of paper submitted shall be a minimum of 8 1/2 inches by 11 inches.

(b) If the sketch plat requires more than one sheet, a key diagram showing relative

location of the several sections shall be drawn on each sheet.

(c) The sketch plat and accompanying material shall contain at least the following information which shall be shown in accordance with the standards in division 4 of this article where applicable:

(1) Name of subdivision, name of property, or other identifying title.

(2) Name, address, and telephone number of legal owner or agent of the property.

(3) Display of any existing legal rights-of-way or easements affecting the property, including names and widths of existing streets.

(4) Existing covenants on the property, if any.



(5) Names, addresses, and telephone numbers of persons responsible for subdivision design, for design of improvements, and for boundary surveys.

(6) Tract boundaries accurately labeled.

(7) Name of the municipality in which the subdivision is located.

(8) North point, scale (written and graphic) and date.

(9) Names of adjoining property owners.

(10) Significant topographical and physical features (water sources, wooded areas,

etc.).

(11) Proposed general street and lot layout, with approximate dimensions.

(12) Preliminary proposals for connection with existing water supply and sanitary sewer systems or alternative means of providing water supply and sanitary waste treatment and disposal; preliminary provisions for collecting and discharging surface water drainage.

(Ord. of 6-29-1977, § 301)

#### **Sec. 50-317. Preliminary plat.**

(a) The subdivision preliminary plat shall be prepared at a scale of between one inch equals one foot and one inch equals 100 feet and may be prepared in either pen or pencil, and the sheets shall be numbered in sequence for filing in the office of the recorder of deeds, but in no instance shall a sheet be less than 18 inches by 24 inches. The preliminary plat may also be used for the final subdivision plat. Preparation in pencil will make required changes and additions easier.

(b) Preparation and certification of the preliminary plat shall be in accordance with the following:

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

(2) Every such plat or deed of dedication to which the plat is attached shall contain, in addition to the professional engineer's or land surveyor's certificate, 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 (on the final plat) by such persons and duly acknowledged before some officer authorized to take acknowledgement of deeds.

(c) The preliminary plat shall show the following information in accordance with the standards in division 4 of this article when applicable:

(1) Date, including the month, day, and year, that the original drawings were completed and the month, day and year that the original drawing was revised, for each revision.

(2) True north point, scale (written and graphic), and name of the subdivision.

(3) Names of all owners of all land next to each boundary of the land being subdivided and the names of all subdivisions, if any, next to the project being considered.

(4) Total tract boundaries, with dimensions, of the property being subdivided showing bearings and a statement of total acreage of the property.

(5) Zoning data including all of the following which are applicable:

a. Existing town zoning district designations, and any zoning district

boundary lines going through or touching the boundary of the proposed subdivision.

- b. Any changes in the existing zoning to be requested by the applicant.

(6) Contour lines at vertical intervals of ten feet. Locations and elevation of the data to which contour elevations refer shall be the closest National Geodetic Survey established benchmark or an established benchmark approved by the town. The state department of transportation, in certain cases, may require smaller intervals in order to adequately review drainage plans.

(7) All water and sewer lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, quarries, strip mines, watercourses, tree masses, rock outcrops, and other significant manmade or natural features within the proposed subdivision and within 500 feet from the boundaries of the proposed subdivision.

(8) All existing streets, including streets of record, easements and rights-of-way, including names, right-of-way widths, pavement widths and approximate grades of such streets or rights-of-way on or abutting the tract.

(9) The full plan of proposed development, including the following:

a. Location, width, and names of all streets, easements, and rights-of-way, with a statement of any conditions governing their use, and functional classification of each with dimensions.

b. Setback lines along each street.

c. Lot lines with dimensions.

d. Lot numbers and statement of number of lots and parcels. All lots within each block shall be numbered consecutively.

e. A statement of the intended use of all nonresidential lots and parcels.

f. Location of water supply, sanitary and/or storm sewers and other drainage facilities, with the size and material of each indicated, and any proposed connections with existing facilities.

g. Areas proposed to be dedicated or reserved for public use with any conditions governing such use, dedication, or reservation.

h. Blocks shall be consecutively numbered or lettered in alphabetical order. The blocks in numbered additions to subdivisions bearing the same name shall be numbered or lettered consecutively throughout the several additions.

i. The 100-year floodplain line, if applicable.

j. Municipal boundaries which cut through the subdivision, showing the name of municipalities, if applicable.

(10) The location of all proposed monuments.

(11) If the preliminary plat requires more than one sheet, a key diagram showing relative location of the several sections shall be drawn on each sheet.

(d) The preliminary plat shall be accompanied by the following supplementary data shown in accordance with standards in division 4 of this article, as applicable:

(1) Street cross section drawing for all proposed streets, showing depth and type of base, type of surface, etc. Cross section drawings may be shown on either the preliminary plat or on separate profile sheets and shall show tentative profiles along the top of pavement edges or along the top of curb for both sides of each proposed street. Such profiles shall show existing and proposed grades. Information as required by the state department of transportation shall be submitted. Such information shall be submitted to the department of transportation by the administrator.



(2) Where deemed necessary by the planning commission, the town council, or the state department of transportation, a plan for the surface drainage of the tract to be subdivided shall be shown. Such plan shall include stormwater runoff calculations for the entire property being subdivided as well as the anticipated runoff of areas of higher elevation in the same watershed and shall show the proposed method of accommodating the anticipated runoff. Such plan shall also show a complete drainage layout including all pipe sizes and types, drainage easements and the means of transporting the drainage to a well-defined open stream which is considered natural drainage. Drainage computation for the appropriate drainage structures shall also be included.

(3) Preliminary designs of any bridges or culverts which may be required. Such designs shall meet all applicable requirements of appropriate state and local agencies and shall be submitted to such agencies by the administrator.

(4) Where a preliminary plat shows the proposed subdivision of only a part of the applicant's total property, a sketch may be required showing the prospective street system in the remainder of the property so that the street system in the submitted portion may be considered in relation to future connections with the unsubmitted portion. To prevent undue hardship for extremely large properties, the planning commission may, based on existing natural or manmade features, delimit the area for which a prospective street system may be sketched.

(5) A vicinity map for the purpose of locating the property being subdivided drawn at a scale of between one inch equals 250 feet and one inch equals 2,000 feet and showing the relation of the property, set apart by tone or pattern, to adjoining property and to all streets and municipal boundaries within 1,000 feet of each subdivision boundary, giving the name of each such street. The name of the municipality in which the subdivision is located shall also be shown.

(6) Existing covenants on the property.

(e) The preliminary plat shall be accompanied by the following environmental protection analyses where applicable:

(1) Erosion, sediment, and topsoil control plans, in accordance with town ordinances. The subdivider is urged to contact the county building inspector's office for standards and specifications.

(2) Floodplain preservation plans.

(Ord. of 6-29-1977, § 302)

**Sec. 50-318. Final plat.**

(a) The subdivision plat submitted to the administrator for final approval shall be clearly and legibly drawn in ink on paper at a scale of between one inch equals one foot and one inch equals 100 feet, on sheets having a size of not more than 24 inches by 36 inches. In addition to the requirements of the preliminary plat, the final plat shall include the following shown in accordance with the standards in division 4 of this article where applicable:

(1) The total tract boundary lines and bearings of the area being subdivided. Such boundaries shall be determined by accurate survey in the field, which shall be balanced and close with an error of closure not to exceed one foot in 10,000 feet; provided, however, that the boundaries adjoining additional unplatted land of the applicant are not required to be based upon field survey and may be calculated. The location and elevation of all boundary line (perimeter) monuments (corner markers) shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the engineer or surveyor shall certify to the accuracy of the survey, the drawn plat, and the placement of the monuments.

(2) The following data shall be shown for the pavement edges (curblines) and right-of-way lines:

a. The ultimate right-of-way, for existing, recorded (except those to be vacated), and proposed streets within or abutting the property to be subdivided;

b. The length and width, in feet to the nearest hundredth of a foot, of all straight lines and radii of curved lines; and

c. The angle in degrees, minutes and seconds, in accordance with customary surveying standards.

(3) All lot lines shall be completely dimensioned in hundredths of a foot if straight and by length of arc and radius if curved with the central angle in degrees, minutes and seconds in accordance with customary surveying standards. All internal angles within the lots shall be designated to the nearest second when appropriate.

(4) A statement of the intended use of all nonresidential lots, with reference to restrictions of any type which exist or will exist as covenants in the deed for the lots contained in the subdivision and, if covenants are recorded, including the book and page number.

(5) The location of all existing and proposed required street monuments.

(6) All easements or rights-of-way where provided for or owned by public services and any limitations on such easements or rights-of-way. Rights-of-way shall be shown and accurately identified on the plat, and easements shall either be shown or specifically described on the plat. Easements should be located in cooperation with the appropriate public utilities.

(7) Plan for water supply and distribution; locations, sizes and invert elevations of all sanitary and/or storm sewers, manholes not to exceed 300 feet apart, inlets and culverts (this data may be submitted as a separate plan). Such plans shall be drawn in accordance with appropriate town ordinances.

(8) If the subdivision proposes a new street intersection with a state route, department of transportation approval must be obtained for all such intersections.

(9) A blank oblong space three inches by five inches shall be reserved on the plat for the use of the commission and council.

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

title.

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

(b) The final plat shall be accompanied by supplementary data, where applicable, as required for preliminary plats in section 50-317(d) and (e), in addition to all appropriate approvals from the state health department, the state department of transportation, the state water control board, and any other agency as required. No final plat shall be approved by the town unless all proper approvals are submitted to the town. The standards in division 4 of this article shall be complied with.

(Ord. of 6-29-1977, § 303)

**Secs. 50-319--50-345. Reserved.**

**DIVISION 4.**

## DESIGN STANDARDS AND SPECIFICATIONS

### **Sec. 50-346. Applicability and general standards.**

(a) The standards and requirements contained in this division are intended as the minimum for the promotion of the public health, safety and general welfare and shall be applied as such by the planning commission and town council in reviewing all subdivision plats.

(b) Land subject to hazards to life, health, or property, such as may arise from fire, floods, disease, or other causes, shall not be subdivided for building purposes unless such hazards have been eliminated or unless the subdivision plat shall show adequate safeguards against them. Such safeguards shall be approved by the appropriate regulatory agencies.

(c) Subdivision plats shall give due recognition to the policies of the comprehensive plan and to other town plans and ordinances or to such parts thereof as may have been adopted pursuant to statute.

(d) All required on-site improvements shall be installed by the applicant at his cost. Before any subdivision plat is recorded, the applicant shall install the required improvements to the satisfaction and approval of the appropriate engineer (town, highway, and/or other) or, in lieu of construction, shall certify that the costs of construction have been paid to the person completing the requirements, with appropriate evidence that performance bonds exist, or shall furnish a bond or cash in an amount calculated by the planning commission, with the necessary assistance of appropriate engineers, to secure the required improvements for the subdivision which the subdivider has submitted for final approval. Such bond shall be payable to and held by the town council. The form of such bond shall be approved by the town attorney. The applicant's bond shall not be reduced by the town council until construction has been inspected and approved.

(Ord. of 6-29-1977, § 401)

#### **Sec. 50-347. Streets.**

(a) *General standards.* General standards for streets in the subdivision are as follows:

(1) All streets, except where specifically noted, shall meet the state department of transportation standards for secondary roads.



(2) The proposed street system shall extend existing or recorded streets at the same width or larger, but in no case at less than the required minimum width as specified in this division. Where possible, new intersections along one side of an existing street shall coincide with any existing street intersection on the opposite side of such street.

(3) Where, upon recommendation of the planning commission, it is desirable to provide for street access to adjoining property, the town council may require street stubs to be extended by dedication to the boundary of such property.

(4) New local streets shall be so designed as to discourage through traffic, but the applicant shall give adequate consideration to providing for the extension and continuation of arterial and collector streets into and from adjoining properties.

(5) Where a subdivision abuts or contains an existing street of improper width or alignment, upon recommendation of the planning commission, the town council shall require the dedication of land sufficient to widen the street or correct the alignment.

(6) All streets shall meet the design standards of this article.

(7) The street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it.

(8) There shall be no private streets in the town.

(b) *Street widths.* Street widths shall be as follows:

(1) The minimum width of a proposed street right-of-way, measured from lot line to lot line on either side of such right-of-way, shall meet the requirements of the state department of transportation for secondary roads.

(2) Alley rights-of-way shall not be less than 20 feet in width.

(3) Additional right-of-way and pavement widths may be required by the planning commission or town council for the purpose of promoting the public safety and convenience or to provide parking in commercial and industrial areas and in areas of high-density residential development.

(c) *Construction of streets.* All street construction shall conform to specifications and standards of the state department of transportation for secondary streets. The construction shall be subject to approval of the state department of transportation.

(d) *Restriction of access.* Whenever a proposed subdivision contains or is adjacent to a limited access highway or expressway, provision shall be made for either a service drive or for reverse frontage lots. A service drive shall be approximately parallel to such right-of-way at a distance suitable for an appropriate use of the land between such highway and the proposed subdivision. Such distances shall be determined with due consideration of the minimum distance required for ingress and egress to the main thoroughfare. The right-of-way of any major highway or street projected across any railroad, limited access highway or expressway shall be of adequate width to provide for the cuts or fills required for any future separation of grades.

(e) *Approach angle.* All streets shall approach each other at an angle of not less than 80 degrees, unless the commission, upon recommendation of the highway engineer, shall recommend and the council approve a lesser angle of approach for reasons of terrain, etc.

(f) *Street grades.* Centerline grades shall meet state department of transportation standards for secondary roads.

(g) *Cul-de-sac streets.* Standards for cul-de-sac streets are as follows:

(1) Dead-end streets are prohibited unless designed as cul-de-sac streets or designed for future access to adjoining properties.

(2) Cul-de-sac streets, permanently designed as such, shall not exceed 500 feet in length and shall not furnish access to more than 20 dwelling units.

(3) Any dead-end street intended for access to an adjoining property or because of authorized stage development shall be provided with a temporary all-weather turnaround within the subdivision.

(4) Unless future extension is clearly impractical or not desired, the turnaround right-of-way shall be placed adjacent to the tract boundary with sufficient additional width provided along the boundary line to permit extension of the street at full width.

(5) All cul-de-sac streets, whether permanently or temporarily designed as such, shall be provided at the closed end with a turnaround which is constructed in accordance with department of transportation specifications. The minimum radius shall be 50 feet.

(6) Drainage of cul-de-sac streets shall preferably be towards the open end. If drainage is toward the closed end, adequate provisions shall be made for runoff to be carried away. Drainage easements shall be required where necessary.

(h) *Street names.* Streets shall be named as follows:

(1) Proposed streets which are obviously in alignment with others already existing and named shall bear the names of the existing streets.

(2) The name of a proposed street shall not duplicate or confuse an existing street in the town or in the postal district. The use of the suffixes street, road, avenue, boulevard, drive, way, place, court, lane, etc., shall constitute a duplication if used after a name which is repeated before each suffix.

(3) Street names shall be subject to the approval of the town council. Names of existing streets shall not be changed except by approval of the council.

(i) *Alleys.* Standards for alleys shall be as follows:

(1) Alleys may be permitted provided that the subdivider produces evidence satisfactory to the planning commission and town council of the need for such right-of-way.

(2) No part of any main structure shall be located within 20 feet of the centerline of an alley.

(3) Dead-end alleys shall be avoided, but where this proves impossible, dead-end alleys shall terminate with an all-weather circular turnaround with a minimum radius of 50 feet.

(4) Alley intersections and sharp changes in alignment shall be avoided.

(j) *Driveways.* Private driveways on corner lots shall be located at least 40 feet from the point of intersection of street right-of-way lines.

(k) *Street signs.* Street identification signs of a design approved by the town council and readable from either side shall be installed at all intersections.

(l) *Railroad crossings.* The applicant shall be responsible for providing flashing lights and short-arm gates for any road within a subdivision which may cross a railroad track.

(Ord. of 6-29-1977, § 402)

**Cross References:** Streets, sidewalks and other public places, ch. 58.

**Sec. 50-348. Blocks.**

(a) *Length.* Blocks in a subdivision shall have a maximum length of 1,200 feet and a recommended minimum length of 500 feet.

(b) *Depth.* Blocks shall be wide enough to allow two tiers of lots consistent with subsections 50-349(a) and (f), unless prevented by topographical conditions, the size of the property, or the general development concept, in which case the town council may approve a single tier of lots.

(Ord. of 6-29-1977, § 403)

**Sec. 50-349. Lots.**



(a) *Shape.* The shape of lots in a subdivision shall be in accordance with the following:

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

(2) Generally, the depth of residential lots should be not less than one nor more than four times their width.

(b) *Location.* The location of lots shall be as follows:

(1) Each lot shall abut on a street dedicated by the subdivision plat or on an existing public street which has been accepted by the town council or which meets the requirements of this article. If the existing streets are not constructed in accordance with the state department of transportation standards, the subdivider shall make provisions in the deeds to the lots for all buildings to be so constructed as to permit the widening by dedication of such roads or streets to such a required width.

(2) Municipal boundaries shall not cut through lots, but rather shall act as lot lines for those lots adjacent to either side of such municipal boundaries. All lots shall comply with subsection (f) of this section.

(c) *Corner lots.* Corner lots shall have extra width sufficient for maintenance of an adequate sight distance at intersections as determined by the council.

(d) *Sidelines.* Sidelines of lots shall be approximately at right angles to straight street lines or radial to curved street lines.

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

(f) *Lot size.* Lot size shall be as follows:

(1) For lots having individual on-site sewer systems and public water, the minimum size of any lot shall be 15,000 square feet.

(2) For lots having both public water and public sewer systems, minimum size of any lot shall be 7,500 square feet, with a minimum street frontage of 50 feet. The planning commission shall require that tentative approval of the health department be submitted as a basis for evaluating the lot sizes of subdivisions dependent upon individual on-site water and/or sewer systems. The town shall not approve any subdivision unless tentative approval from the health department is given on a lot-by-lot basis stating that the proposed lots have satisfactory sites for the proposed water and sewer systems at the proposed lot size. The issuance of tentative approval does not guarantee the issuance of a permit when application is made for a septic system at the time of construction. The health department reserves the right to reject an application for a septic system based on further testing.

(3) In any instance, greater lot areas shall be required in accordance with health department findings where individual septic tanks or individual wells are used if the health director determines that there are factors of drainage, soil conditions or other conditions to cause potential health problems.

(Ord. of 6-29-1977, § 404)

**Sec. 50-350. Sanitary sewage disposal.**

(a) The applicant for subdivision approval shall provide the type of sanitary sewage disposal facility determined by the planning commission to be consistent with existing physical, geographical and geological conditions. The following types of sanitary sewage disposal facilities are listed in order of desirability:

(1) Public sanitary sewage collection and treatment system.

(2) Community sanitary sewer system with a temporary sewage treatment plant.

(3) On-lot disposal with septic tank and drainfield.

(b) Sanitary sewers, whether public, community, or on-site, shall be designed and constructed in strict accordance with standards of the department of health and/or state water control board, whichever is applicable.

- (c) Sanitary sewers shall not be used to carry stormwater.

(Ord. of 6-29-1977, § 405)

**Cross References:** Utilities, ch. 74.

**Sec. 50-351. Soil evaluation test requirements.**

(a) Soil evaluation tests shall be performed by the health department for all subdivisions where on-site sewage disposal systems are to be used.

(b) Soil evaluation tests shall be made by the health department in accordance with the procedure required by the state health department and shall be approved by the health department. The results of such tests shall be submitted with the final plat.

(c) The town council shall not approve any subdivision using septic tanks unless a tentative approval from the health department is received stating that all lots in the subdivision have a suitable site for a septic tank system. If the analysis of the soil evaluation test results reveals that the soil is unsuitable for the intended use at the lot size proposed, the planning commission and town council shall require that the lot size be increased in accordance with the testing results as determined by the state health department. This tentative approval does not guarantee that a permit will be issued for installation of a septic tank system. The health department reserves the right to reject any further request for permits based on further inspection and tests.

(Ord. of 6-29-1977, § 406)

**Sec. 50-352. Water supply.**

Whenever an existing public or approved community water system is determined by the town to be geographically and economically accessible to a proposed subdivision, the applicant shall provide an approved distribution system which shall be designed to connect with such system in accordance with state health department standards. Such systems shall furnish an adequate supply of water to each lot, with adequate main sizes and fire hydrants located to meet the specifications of the insurance services office. A copy of the approval of such system by the appropriate public agency or utility company shall be submitted with the final plat. Suitable agreements shall also be established for the ownership and maintenance of such distribution system. In accordance with this article, the applicant may be required to provide his own community water system.

(Ord. of 6-29-1977, § 407)

**Cross References:** Utilities, ch. 74.

**Sec. 50-353. Storm drainage.**

- (a) Storm sewers and related installations shall be required in a subdivision only when the runoff of stormwater cannot be satisfactorily handled within the street pavement.
  
- (b) Where existing storm sewers are reasonably accessible, according to the planning commission, the proposed subdivision shall be required to connect with such storm sewers.
  
- (c) In the design of storm drainage facilities, problems shall be avoided which may arise from the concentration of stormwater runoff onto adjacent developed or undeveloped properties or the collection of water at low points in the subdivision and along streets. Water shall be drained away from on-site sewage disposal facilities.

(d) Storm drainage facilities should be designed not only to handle the anticipated peak discharge from the property being subdivided, but also the anticipated increase in runoff that will occur when all the property at a higher elevation in the watershed is fully developed.

(e) Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a drainage easement conforming substantially with the line of such watercourse, drainageway, channel, or stream and of such width as will be adequate to preserve the unimpeded flow of natural drainage or for the purpose of widening, deepening, relocating, improving, or protecting such drainage facilities. Any changes in the existing drainage way shall be subject to the approval of the state water control board.

(f) All streets shall be so designed as to provide for the discharge of surface water from their rights-of-way.

(g) The applicant shall provide for all such drainage improvements together with a certified engineer's or surveyor's statement that such improvements will be adequate for proper development. The highway resident engineer shall then approve or disapprove the plans.

(Ord. of 6-29-1977, § 408)

**Cross References:** Utilities, ch. 74.



**Sec. 50-354. Utility easements.**

(a) Easements with a minimum width of 20 feet shall be provided in a subdivision for poles, wires, conduits, storm and sanitary sewers, gas, water mains and/or other utility lines intended to service the abutting lots. No structures or trees shall be placed within such easements.

(b) To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.

(c) Easements shall be in accordance with requirements of appropriate utility companies.

(Ord. of 6-29-1977, § 409)

**Cross References:** Utilities, ch. 74.

**Sec. 50-355. Erosion and sediment controls.**

Erosion and sedimentation control measures for a subdivision shall meet the standards and specifications of chapter 26, article IV, pertaining to erosion and sediment control.

(Ord. of 6-29-1977, § 410)

**Cross References:** Erosion and sediment control, § 26-156 et seq.

**Sec. 50-356. Floodplain regulations.**

(a) The subdivider shall consult all available engineering and soils studies and delineate the 100-year floodplain on the plat of his land.

(b) The town shall not approve any plat in which a structure or street will be located within the area subject to flooding by a flood of 100-year frequency unless such structure is

adequately floodproofed and approved under the appropriate building code or the street approved by the state department of transportation.

(Ord. of 6-29-1977, § 411)

**Sec. 50-357. Monuments (corner markers).**

(a) *Installation.* As required by this article all monuments must be installed by the subdivider. Upon completion of subdivision streets, sewers, and other improvements, the subdivider shall make certain that all monuments required by the town are clearly visible for inspection and use. Such monuments shall be inspected and approved by the town before any improvements are accepted by the town council.

(b) *Location of steel pins.* Steel pins shall be used as monuments at all street corners and at all points where the street line intersects the exterior boundaries of the subdivision and at right angle points and points of curve in each street. Such monuments shall meet the specifications of the state department of transportation.

(c) *Location of iron pipe.* All other lot corners shall be marked with iron pipe not less than three-fourths inch in diameter and 24 inches long and driven so as to be flush with the

finished grade. When rock is encountered, a hole shall be drilled four inches deep in the rock, into which shall be cemented a steel rod one-half inch in diameter, the top of which shall be flush with the finished grade line.

(Ord. of 6-29-1977, § 412)

**Sec. 50-358. Curbs.**

(a) Curbs, where required by the town in a subdivision, shall be installed along both sides of all streets, except along alleys. Curbs shall meet the standards and specifications of the state department of transportation. Adequate provision shall be made for driveway entrances.

(b) Installation shall be in accordance with this article and other town regulations.

(Ord. of 6-29-1977, § 413)

**Sec. 50-359. Sidewalks.**

(a) When required by the town for a subdivision, sidewalks with a minimum width of four feet shall be installed on both sides of all streets within the subdivision and the side of each street touching the subdivision, except that no sidewalks shall be required along service streets.

(b) All sidewalks shall be installed in accordance with this article and other town regulations.

(Ord. of 6-29-1977, § 414)

**Cross References:** Streets, sidewalks and other public places, ch. 58.

#### **Sec. 50-360. Streetlights.**

The installation of streetlights, if required for a subdivision, shall be in accordance with design standards and specifications of the town and the state department of transportation.

(Ord. of 6-29-1977, § 415)