1241.05 Definitions

"Division"- The creation of lots in the AR-1 and AR-2 Zoning Districts pursuant to Section 1241.06 of the LSDO and Sections 2-103 and 2-203 of the Loudoun County Zoning Ordinance, as amended.

"Land use and use of land" shall include "building use" and "use of building."

"Lot" - A numbered and recorded portion of a tract, division, or subdivision intended for transfer of ownership or for development. "Lot" shall include the words "plot" and "parcel".

"Lot line" - A line dividing one lot from another or from a street or other public or private area.

"Officially submitted" - The status of a plan or plat which has been determined by the Director to have been filed in accordance with all submission requirements of this ordinance, including the Facilities Standards Manual. The date on which the plat or plan is officially submitted shall establish the filing date for the plat or plan.

"Originating Tract"- A lot or parcel of land in the AR-1 or AR-2 Zoning District which is to be the subject of a subdivision through the "Principal/Subordinate" Subdivision Option as identified in Sections 2-103 and 2-203 of the Zoning Ordinance. This designation is for the purpose of establishing a base density of development in order to implement this subdivision option.

"Principal Lot"- A lot or parcel of land in the AR-1 or AR-2 Zoning District which has been created through the "Principal/Subordinate" Subdivision Option as identified in Sections 2-103 and 2-203 of the Zoning Ordinance. Future subdivision and development of such lots are restricted by the requirements contained in the AR-1 and AR-2 Zoning Districts.

"Plan" - The proposal for a development or a subdivision, including all covenants, grants, or easements and other conditions relating to use, location and bulk of buildings, density of development, common open space, public facilities, and such other information as required by the ordinance to which the proposed development or subdivision is subject.

(a) **Preliminary plat:** A plat of a proposed land subdivision or development showing the character and proposed layout of the tract. Also referred to as "preliminary plat of subdivision" when pertaining to a subdivision.

(b) **Construction plan:** A plan including specifications for improvements as

required by this Ordinance, the Facilities Standards Manual, Erosion Control Ordinance of Loudoun County, and the Virginia Department of Transportation.

(c) **Site plan:** A site plan is a "plan of development" within the meaning of Virginia Code Section 15.2-2286, as further defined in the Zoning Ordinance.

(d) **Site plan amendment:** A minor change or revision to a previously approved site plan as defined in the Facilities Standards Manual.

(e) **Record plat:** A plat of a subdivision which, when approved, shall meet all the applicable requirements of this Ordinance and the Zoning Ordinance and shall be in a form suitable for recording.

(f) **Preliminary/record plat:** A plat of subdivision that meets all requirements of both a preliminary plat and record plat and is submitted as a combined application.

"Subdivision" - The division of any parcel of land into two (2) or more new parcels, each separately transferable from the other, and shall include condominium development~~; provided however, that a division of a tract in the A-25 District, in accordance with the provisions of the Zoning Ordinance, by a plat which bears the certificate of approval of the Zoning Administrator pursuant to Section 1241.06, shall not be considered a subdivision for the purposes of this Ordinance~~. Separation of interests in land for the purpose of lease, transfer of (partial) undivided interest, granting or extinguishment of easements, subordinating or otherwise affecting the priority of liens, plats of confirmation, and any other such transfers of interests in land not directed at the creation of new, separately transferable parcels shall not be considered as an act of subdivision.

"Subdivider" - An individual, corporation, proprietor, trust, trustee, joint venture, partnership, or other entity owning any tract, lot, or parcel of land to be subdivided; or a group of two or more persons or entities owning any tract, lot, or parcel of land to be subdivided who have given their power of attorney to one of their group or to another individual or entity to act on their behalf in planning, negotiating, representing, or executing the legal requirements of the subdivision.

"Subdivide" - The creation of a subdivision.

"Subordinate Lot"- A lot in the AR-1 or AR-2 Zoning District created pursuant to the "Principal/Subordinate Subdivision Option" as identified in Sections 2-103 and 2-203 of the Zoning Ordinance. Future subdivision of such lots is restricted by the requirements contained in the AR-1 and AR-2 Zoning Districts.

"Surveyor" - A certified land surveyor licensed by the Commonwealth of Virginia.

1241.06 ~~A-25~~ Lot Creation in the AR-1 and AR-2 Zoning Districts ~~Parcel Divisions~~

Lots within the AR-1 and AR-2 Zoning Districts may be created under one of the following three development options:

(1) Division - Lots proposed to be created in accordance with the Base Density Division Option contained in the Zoning Ordinance may do so in accordance with the following procedures:

(~~1~~A) A request for certificate of approval of a plat of D~~d~~ivision ~~pursuant to Section 2 of the Zoning Ordinance,~~ shall contain the following:

(~~a~~i) The proposed plat of D~~d~~ivision; and

(~~b~~ii) Unexecuted deed or deeds granting any required street dedication necessary to satisfy the requirements of the Zoning Ordinance; and

(iii) An unexecuted Private Roads Maintenance Agreement if private access easements are to be established.

(iv) A letter signed by the Health Director evidencing conformance with applicable requirements of the County Health Department.

(~~2~~B) The ~~Zoning Administrator~~ Director shall, within thirty (30) days after receipt of such plat and accompanying deeds, if applicable, review such plat and either execute the certificate of approval thereon or deny approval stating the specific reasons for such denial.

(~~3~~C) In conducting such review the ~~Zoning Administrator~~ Director shall determine whether such plat meets all of the requirements of the Zoning Ordinance and plat requirements contained in Chapter 8.103.8 of the FSM and Section 1241.06 of this Ordinance.

(2) Principal/Subordinate Subdivision Option-Lots proposed to be created in accordance with the Principal/Subordinate Subdivision Option contained in the Zoning Ordinance shall be developed in accordance with the following procedures.

(A) The creation of a single Subordinate Lot shall follow the procedures and requirements of the provisions of Section 1243.05.1

(B) The creation of more than 1 Subordinate Lot but less than 5 Subordinate Lots at a time shall follow the procedures and requirements of Preliminary/Record Plat requirements.

(C) The creation of more than 4 Subordinate Lots at a time shall follow the procedures and requirements of Preliminary Plat of Subdivision.

(D) The creation of Subordinate Lots intended for members of the immediate family as identified in Section 1243.04 shall follow the process and requirements associated with family subdivisions.

3. Cluster Subdivision - Lots proposed to be created in accordance with the Cluster Subdivision provisions of the Zoning Ordinance shall be developed in accordance with the following procedures.

(A) The creation of a single cluster lot shall follow the procedures and requirements of the provisions of Section 1243.05.1.

(B) The creation of five (5) lots or fewer shall follow the procedures and requirements for a Preliminary/Record Plat.

(C) The creation of more than 5 lots shall follow the procedures and requirements for a Preliminary Plat of Subdivision.

1243.04 Family Subdivisions

A single division of a lot or parcel into no more than six (6) additional lots for the purpose of sale or as a gift of each of said lots to a member of the immediate family of the property owner is permitted subject to the provisions of the Code of Virginia, 1950, as amended, and the requirements of this Section 1243.04. No person who has previously received a conveyance of land as a grantee under Section 15.2-2244, Section 15.1-466(A)(12) or (13) or Section 15.1-466(G) or any predecessor Section of the Code of Virginia, 1950, or any local ordinance enacted pursuant thereto shall be eligible to be a grantee of a lot or parcel created pursuant hereto. Any such division shall not be for the purpose of circumventing this chapter or other chapters of the Loudoun County Code. For the purpose of this section, "a member of the immediate family" is defined as any natural person who is a natural or legally defined child, stepchild, grandchild, spouse, brother, sister or parent of the property owner; and "property owner" is defined as the natural person(s) (a) who is the sole owner of the property; or (b) who is the

(i) sole owner of all stock or other documents of ownership of the corporation, or
(ii) sole partner of the general partnership, or
(iii) sole managing partner of the limited partnership, or
(iv) sole member of the limited liability company, or

sole trustee and sole beneficiary, with sole possession of any right of revocation, of the trust, that is the sole owner of the property. Such conveyance to a member of the

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immediate family may be made to such member and his or her spouse if title is conveyed to them as tenants by the entirety.

1245.02 Private Access Easement Roads

Private access easement roads designed and constructed in accordance with the Facilities Standards Manual may serve as frontage in lieu of public street for the following types of development lots~~,~~:

1. U~~u~~p to a maximum of seven (7) lots

   (a~~1~~) Family Subdivisions (See Chapter 1243).

   (b~~2~~) Structures contained in a Historic Site (HS) District (See Section 6-1800, Zoning Ordinance).

   (c~~3~~) Cluster subdivisions in the A-10, Low Density Rural District.

   ~~(4) Low-Density 25-Acres Residential Developments (See Section 5-701, Zoning Ordinance).~~

   (d~~5~~) Subdivisions in the ~~A-25 and~~ A-10 Zoning Districts.

   (e~~6~~) Subdivisions utilizing the Rural Hamlet Option or Countryside Hamlet Option ~~(See Sections 5-702 and 5-703 Zoning Ordinance)~~.

   (f~~7~~) Development in accordance with the provisions of the Rural Village Conservancy in the PD-RV District (See Section 4-1204, Zoning Ordinance).

   (g~~8~~) Lots created for use by LCSA, VDOT, municipal utilities, public utilities as defined in section 56-232 of the Virginia State Code, or public service corporation as defined in Section 56-1 of the Virginia State Code and meets the requirements of Section 5-621 (See Section 1-404(B)(2), Zoning Ordinance).

   (h) Divisions as defined in Chapter 1241 of this Ordinance in the AR-1 and AR-2 Zoning Districts.

2. Up to a maximum of 25 lots.

   (a) Subdivisions in the AR-1, AR-2, RR-1, RR-2 Zoning Districts.

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1245.10 On-site Sewage Disposal Systems

No preliminary plan of subdivision shall be approved where a well and/or sewage disposal system is to be provided for each building lot in the subdivision, until written approval of proposed locations for such systems has been secured from the Health Director. Such approved locations shall be shown to scale on the preliminary plan and on the record plat.

The Health Director, or his designee, shall review and approve or deny the applicant's proposal for wells and sewage disposal systems and shall advise the Commission of its findings. The groundwater source must be an approved source of supply reasonably calculated to be capable of furnishing the needs of the eventual inhabitants of the subdivision. The Health Director, or his designee, may require geotechnical or other tests to determine the suitability of the soil for subsurface disposal; and may require hydrogeologic or other tests to determine the adequacy of the groundwater supply for the proposed use or uses. Hydrogeologic tests shall be in conformance with Section 6.600 of the Facilities Standards Manual, which is incorporated herein by reference. Geotechnical, hydrogeologic and/or other tests shall be the responsibility of the developer, with supervision by the Health Director. Where hydrogeologic testing has been required pursuant to preliminary subdivision plat review and approval, no record plat of subdivision shall be approved for any lot under 80,000 square feet until written approval of constructed well has been secured from the Health Director.

Any proposed lots which have been completely tested and do not meet Health Department requirements may be approved with a note similar to the following placed on the plat:

> "**NOTE**: This lot is not considered to be approved as a building lot as it is unsuitable for the installation of an on-site sewage disposal system and/or individual water supply under the current standards of the Loudoun County Health Department."

4.330 PRIVATE ROADWAY STANDARDS

A. General

The following shall apply to the categories of private roadways, except as noted herein:

1. Traffic control signage and lane markings provided on private roadways shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). When a signal is warranted, signalization shall meet VDOT standards.

2. Private roadways may be designed with a curb and gutter section or a

shoulder section. Shoulder sections shall have stabilized shoulders which may be a paved, gravel, or sodded grass surface. Shoulders shall meet VDOT slope requirements.

3. Private roadways shall be designed to accommodate an SU-30 design vehicle (AASHTO) and to accommodate emergency vehicles in accordance with the design criteria contained within Tables I, II and III of this chapter. The travel way inside radius at an intersection shall be a minimum of 25 feet, except for alleys.

4. Where parking is provided on the roadway, pavement width shall be increased appropriately. Parking geometry designs shall meet the requirements of this chapter.

5. An entrance permit shall be secured from the Virginia Department of Transportation in order to tie into an existing VDOT maintained road.

6. Sidewalks shall be placed within the public access easements. Handicap accessible ramps and provisions, in accordance with State and Federal requirements, shall be provided at roadway intersections with curb gutter.

7. Roadway design details which are not standard designs used by VDOT, such as CG-6R or YI-1 components, shall be submitted as detailed drawings to the Director for approval.

8. All private roadways and access easements discussed in this chapter, except <u>those created as part of the Base Density Division Option pursuant to LSDO Section 1241.06, and</u> located within a proposed Family Subdivision pursuant to LSDO Section 1243.04, require construction plans and profiles and an approved Performance Bond prior to record plat approval for the subdivision the roadways or access easements are to serve.

8.102 PRELIMINARY PLAT OF SUBDIVISION

The purpose of the preliminary plat of subdivision is to conceptually show the probable lot layout and location of streets and other necessary infrastructure to demonstrate geometric locations of all lots and improvements of such proposed subdivision.

A. The preliminary plat of subdivision shall contain the following data, legibly drawn, on sheets of 24 inches by 36 inches in size, with appropriate matchlines, (if necessary). The failure to depict the following items on the preliminary plat of subdivision, shall not relieve the developer of any requirement to depict such

items on subsequent application.

1. The title "Preliminary Plat of Subdivision".

2. Scale. (See 8.101)

   a. Lots less than or equal to 3 acres: 1 inch equals no more than 100 feet.

   b. Lots greater than 3 acres 1 inch equals no more than 200 feet.

3. North arrow.

4. Date. A date shall be shown on the cover sheet

5. The proposed name of the subdivision. (See 8.101)

6. a. The name and address of the owner of record.

   b. The name of the subdivider.

   c. The professional engineer or surveyor who prepared the plat.

7. The number of sheets comprising the plat.

8. A revision block. (See 8.101)

9. Source of title. (See 8.101)

10. Zoning requirements. (See 8.101)

    In addition to the applicable zoning requirements, as stated in Section 8.101.5, the following note shall be provided on preliminary plats of subdivision which are preceded by a rezoning or special exception application:

    > "All development within this subdivision shall be in substantial conformance with (A) the requirements of the applicable concept development plan, proffers and special exception conditions in accordance with (insert specific reference to County application numbers), pursuant to which such concept development plan, proffers and special exception conditions were approved, and (B) any conditions setforth as conditions of approval of this preliminary plat."

11. Zoning, variance, special exception, subdivision, or subdivision exception information. (See 8.101)

12. Election District and Loudoun County, Virginia in Title Block.

13. Vicinity map. (See 8.101)

14. Boundary lines and total acreage of the proposed subdivision and the acreage remaining in the original tract, if any.

15. Proposed lot lines, (showing approximate dimensions), proposed block and lot numbers, and the approximate area of each lot.

16. Coordinate Grid lines. (See 8.101)

17. Adjoining property information. (See 8.101)

18. The Zoning District and jurisdictional boundaries. (See 8.101)

19. Tax map reference. (See 8.101)

20. The approximate location of existing buildings within the subdivision.

21. The proposed location, width, centerline and projected Average Daily Traffic (ADT's) of each road or other public or private way within the subdivision. Pedestrian circulation paths shall be shown, including proposed trails and sidewalks, if such improvement is required.

22. The approximate location, width, ADT's and centerline of adjoining roads, and access easements with their names and/or route numbers.

23. Proposed roads shall include approved and/or reserved road names and road sign locations per the Codified Ordinances of Loudoun County.

24. Proposed yard and setback lines. (See 8.101)

25. The approximate location and approximate area of any land to be dedicated or reserved for public use, road right-of-way use, or common use of future property owners in the subdivision.

26. Approximate watercourse locations and names, if any, and floodplain delineation per the Floodplain Map of Loudoun County or per a floodplain study performed in accordance with Chapter 5 of this manual which has been approved by the County or which has been submitted and accepted by the County for review; or per a vertical field survey in accordance with Chapter 5 of this manual. A note stating the source of the floodplain

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delineation shall be included.

27. General location of existing drainage ways, ponds, on site sewage disposal, on site water supply systems and existing and proposed public water and sewer lines.

28. Archeological, natural e.g., Champion trees, etc., and historical features, cemeteries and historic landmarks on the site, as identified in adopted Federal and State documents.

29. Current topographic information, indicating when and by what means it was made, having contour intervals of 5 feet or less, showing all the area covered by the subdivision not including residue parcel(s) and related to the National Geodetic vertical datum of 1929.

30. Stakeout and plan. (See 8.101)

31 Graphically shown on the plan, 65 and 60 LDN Limits and any areas within one mile of the 60 LDN line, as defined by the Zoning Ordinance of Loudoun County.

32. Approval block. (See 8.101)

33. Proffered preservation areas shall be clearly delineated (e.g., trees, structures, etc.).

34. For lots less than 3 acres in size a typical lot detail shall be provided at a scale of not less than 1 inch = 50 feet.

35. A tabulation of lot yield for those properties being developed pursuant to the Cluster Subdivision option or Principal/Subordinate option in the AR-1 or AR-2 Zoning Districts.

8.103 PLATS FOR SUBDIVISION AND OTHER MISCELLANEOUS PLATS

A. The plats shall be prepared by a professional surveyor or engineer. These plats shall contain the data listed below, legibly drawn, on sheets of 18 inches by 24 inches in size, with appropriate matchlines (if necessary). The following shall be included for each plat as appropriate.

1. Scale.

   a. Lots less than 1/4 acre 1 inch equals no more than 50 feet.

   b. Lots 1/4 to 3 acres 1 inch equals no more than 100 feet.

c. Lots greater than 3 acres 1 inch equals no more than 200 feet.

2. North arrow.

3. Date.

4. The name of the subdivision.

5. a. The name of the owner(s) of record.

   b. The name and address of the engineer or surveyor who prepared the plat.

6. Number of sheets comprising the plat.

7. A revision block.

8. Tax map reference(s).

9. Seal and signature.

10. A certificate, endorsed by the engineer or surveyor, setting forth the source of title of the land subdivided and the place of record of the last instrument(s) in the chain of title, in accordance with Section 15.2-2262 of the Code of Virginia, as amended.

11. The boundary survey with an error of closure within the limits established by the Commonwealth of Virginia.

12. Coordinate grid lines.

13. The original tracings and paper copies submitted for signature and recordation shall be drawn legibly and accurately per Virginia State Library and Archives Standards for plats.

14. Zoning requirements.

15. Zoning district and jurisdictional boundaries.

16. Zoning, variance, special exception, subdivision, or subdivision exception information.

17. Election District and Loudoun County, Virginia in the Title Block.

18. Vicinity Map.

19. The plat shall show parcel and lot lines, showing dimensions, block and lot numbers, and the area of each parcel or lot including area outside of major floodplain. Dimensions shall be shown in feet and decimals of a foot to the closest one-hundredth of a foot, and bearings in degrees, minutes, and seconds. The data for curves shall be shown in detail at the curve or in a curve data table containing the following: radius, delta, arc, tangent, chord, and chord bearing. Acreage shall be shown to the ten thousandth decimal place and square footage to the nearest whole foot and all of the remaining area in the original tract/residue parcels to the nearest one hundredth of an acre.

20. Roadways shall include approved and/or reserved names per the Codified Ordinances of Loudoun County. Existing public roadways shall include route numbers and road names.

21. The location, dimensions of easements, dimensions and area of roadways, public sites (schools, fire and rescue facilities, etc.), parks and other public areas shall be included.

22. Adjoining property information.

23. Graphically shown on the plan, 65 and 60 LDN Limits and any area within one mile of the 60 LDN line, as defined by the Zoning Ordinance of Loudoun County.

24. Yard and setback lines.

25. If land is being dedicated or reserved for public use for roads, parking areas for public use, or for common use of the future property owners of the subdivision, the record plat shall so state and illustrate such.

26. As applicable, the location, width, and centerline of existing/proposed roads, easements, parking areas, and public or private rights-of-way within or immediately abutting the property. Deed book and page numbers shall be provided, as applicable.

27. If not otherwise contained within the deed accompanying the plat, the plat shall contain a statement to the effect that the subdivision is with the free consent and in accordance with the desire of the undersigned owners and trustees of the property and shall be duly acknowledged in accordance with Section 15.2-2264 of the Code of Virginia of 1950, as amended.

28. The plat shall indicate Health Director approved sewerage disposal systems and water supply systems, as specified in the Loudoun County

Codified Ordinances.

29. The plat shall contain a statement setting forth the persons or entities responsible for maintenance of stormwater detention, drainage facilities, easements, sidewalks, trails, lighting and other facilities, as required.

30. In the ~~CR1-4,~~ RR, ~~A-25,~~ AR-1, AR-2, A-10 and A-3 Zoning Districts, record plats shall contain the following statement:

"In all areas within the ~~CR1-4,~~ RR~~,~~ -1, RR-2, ~~A-25,~~ AR-1, AR-2 , A-3, or A-10 Zoning Districts, agricultural and rural economy activities are the preferred land uses. Owners of land within ~~CR1-4,~~ RR-1, RR-2, ~~A-25,~~ AR-1, AR-2, A-3 or A-10 Zones are hereby notified that agricultural and rural economy activities shall be given preference by the County when conflicts arise concerning the compatibility of such farm or rural economy uses with adjacent or nearby non-farm ~~activities~~ or non-rural economy uses. The County shall not restrict or interfere with farming and rural economy activities in the ~~CR1-4,~~ RR~~,~~ -1, RR-2,~~A-25,~~ AR-1, AR-2, A-10, or A-3 Zones. The farming and rural economy activities, including such effects as noise, odors, and machinery traffic, shall not be recognized or accepted by the County as valid or proper cause for complaints from adjacent or nearby residential neighbors.

31. Watercourses and names, if any, and a floodplain easement in accordance with Chapter 5 of this manual.

32. All restrictive covenants or reference thereto.

33. An Approval Block.

34. If private roads or access easements are proposed, the following notes shall be added as appropriate:

a. Construction of the access easement shown hereon shall conform to the standards set forth in the Loudoun County Land Subdivision and Development Ordinance.

b. Construction of the Class III road shown hereon shall conform to the standards set forth in Chapter Four of this manual.

c. The access road or access easement shown hereon is private and its maintenance, including snow removal is NOT a public responsibility. It shall not be eligible for acceptance into the State secondary system for maintenance until such time as it is constructed and otherwise complies with all requirements of the

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Virginia Department of Transportation for the addition of subdivision roads current at the time of such request. Any costs required to cause this road to become eligible for addition to the State system shall be provided from funds other than those administered by the Virginia Department of Transportation and Loudoun County.

35. The location of structures to be retained, including stone walls within areas to be dedicated for public use.

36. Designation of ADU lots in accordance with Zoning Ordinance.

37. If the property is being developed pursuant to the Principal/Subordinate Subdivision Option, the following as appropriate:

    a. Tabulations showing the lot yield originally calculated for the Originating Tract, all prior subdivisions from the Originating Tract, and all resulting Principal Lots and number of Subordinate Lots created pursuant to each such subdivision.

    b. Labels clearly identifying the Principal and Subordinate lot(s).

    c. A note stating that "Subordinate lots are ineligible for further subdivision."

38. If the property is being developed pursuant to the Cluster Subdivision Option in the AR-1, AR-2, RR-1 or RR-2 Zoning District, the following as appropriate:

    a. Inclusion of a note on the record plat and documentation within the deed that agricultural operations enjoy the protection of the Right to Farm Act.

    b. A tabulation of density for such cluster subdivision.

    c. ***Inclusion of note on the record plat and documentation within the deed stating that all lots are ineligible for further subdivision.***

C. Final Documents

Prior to plat approval, the following items must be submitted for review and approval to the Director:

1. If improvements required under these regulations are not completed, a financial guarantee in the form of a cash bond, certified check, or surety

performance bond and agreement as required by Section 8.300 of this chapter. Such guarantee must be accepted by the Board of Supervisors or designee prior to plat approval.

2. An unexecuted copy of the deed, accompanied by a Certificate of Authenticity signed by the developer and duly acknowledged before an officer authorized to take acknowledgments of deeds, to the effect that this is a true copy of the proposed deed which will be presented for recordation, unless revisions are required by the Director, in which case such deed will be recorded in the form as approved by the Director or designee. Such deed shall:

   a. Contain a correct description of the land subdivided or adjusted and state that such subdivision or adjustment is with the free consent and in accordance with the desire of the undersigned owners and trustees of the property and shall be duly acknowledged in accordance with Section 15.2-2264 of the Code of Virginia, as amended.

   b. Contain language such that, when the deed is recorded, it shall operate to transfer in fee simple to the Board of Supervisors such portion of the platted premises as is on such plat set apart for roads, easements, or other public use and to create a public right-of-passage over the same.

   c. Contain protective or restrictive covenants, if applicable.

   d. Contain, when applicable, provisions for maintenance and indemnification by the property owner with respect to any structure, including permanent fences and stone walls, within the proposed and future right-of-way.

3. In cases where land or facilities are to be dedicated to and held in perpetuity by a homeowner's association, copies of homeowner's association documents shall be submitted.

4. A letter from the obligor acknowledging that a maintenance and indemnification agreement satisfactory to the Board of Supervisors to provide for public facilities maintenance must be executed and delivered to the Director prior to final release of the financial guarantee.

5. Certificate by subdivider that structures subject to Zoning Ordinance minimum yard requirements, which are not shown on the plat, will be removed, unless satisfactory alternate arrangements have been approved by the Director.

6. The submitted mylar and paper copies shall be at the scale of the original

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plat, without enlargement or reduction to change the size of the plat. If the plat contains lots served by well or septic drainfields, a second reproducible mylar copy of the plat shall be submitted.

7. If not included in the deed, a Deed of Release if there are deed of trust trustees who did not enter into the application or a letter or other documentation from the owner which certifies that there is no deed of trust lien on the property

8. A letter from the owner which states that a performance bond or check adequate to insure the installation of required water or sewerage facilities in a manner which will satisfy the requirements of the County Health Department, the town, or the Authority, as applicable, has been furnished to such public authority.

9. When the developer is required to establish an owners' association prior to approval of the plat to satisfy proffer or other zoning or regulatory requirements, documentation evidencing the creation and legal existence of the association.

10. A copy of the document establishing the funding mechanism providing maintenance of the common facilities in accordance with the Zoning Ordinance (AR and RR Districts only).

11. A copy of a minimum two year maintenance contract if communal and/or sewage disposal system is to be maintained by an entity other than LCSA (AR and RR Districts only).

8.103.8 AR-1 and AR-2 Division Plats

A. The plats shall be prepared by a professional engineer or surveyor. These plats shall contain the data listed below, legibly drawn.

1. Title

2. North Arrow

3. Date

4. The name of the Division

5. The name of the owner of record and land record reference for source of Title.

6. The Name of the engineer or surveyor who prepared the plat.

7. Number of sheets comprising the plat.

8. Tax Map reference.

9. Sheet size and scale. The original tracings and paper copies submitted for signature and recordation shall be drawn legibly and accurate per Virginia State Library and Archives Standards for plats.

10. Election District and Loudoun County, Virginia within the Title Block.

11. The plat shall show parcel and lot lines, including dimensions. Dimensions shall be shown in feet and decimals of a foot to the closest one-hundredth of a foot, and bearings in degrees, minutes and seconds. The data for curves shall be shown in detail at the curve or in a curve data table containing the following: radius, delta, arc, tangent, chord, and chord bearing. If land is being dedicated or reserved for public use for roads, parking areas or for common use of the future property owners, the plat shall so state and dimension such.

12. If not otherwise contained in the deed accompanying the plat, the plat shall contain a statement to the effect that the Division is with the free consent and in accordance with the desire of the undersigned owners of the property and shall be duly acknowledged in accordance with Section 15.2-2264 of the Code of Virginia of 1950 as amended.

13. Seal and signature.

14. If private access easements are proposed, the following notes shall be added as appropriate:

    a. Construction of the access easement shown hereon shall conform to the standards set forth in the Loudoun County Land Subdivision and Development Ordinance.

    b. Construction of the Class III road shown hereon shall conform to the standards set forth in Chapter Four of this manual.

    c. The access road or access easement shown hereon is private and its maintenance, including snow removal is NOT a public responsibility. It shall not be eligible for acceptance into the State secondary system for maintenance until such time as it is constructed and otherwise complies with all requirements of the Virginia Department of Transportation for the addition of subdivision roads current at the time of such request. Any costs

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required to cause this road to become eligible for addition to the State system shall be provided from funds other than those administered by the Virginia Department of Transportation and/or Loudoun County.

B. Documents to accompany Division Plats

1. If applicable, an unexecuted copy of the Private Roads Maintenance Agreement with maintenance agreement language per Chapter 1245 of the Land Subdivision and Development Ordinance where applicable, shall be submitted for review and recommendation concurrent with the associated Division plat.

2. A letter signed by the Health Director evidencing conformance with applicable requirements of the County Health Department.

3. If applicable, an unexecuted Deed of Easement establishing ingress/egress rights, maintenance and construction responsibilities including snow removal.