

**APPENDIX B**  
**SUBDIVISIONS\***

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**\*Editor's note**—The subdivision ordinance in this appendix was adopted on April 18, 1979, and became effective on April 19, 1979. Amendments adopted through August 1, 1989, are included herein. Amendments are indicated by history notes in parentheses. The editors have corrected any words that are obviously misspelled. Any provisions in brackets have been added for purposes of clarity. A uniform system of capitalization has been used.

**Cross references**—Erosion and sediment control, Ch. 5; storage of solid waste, § 7-75; licenses and business regulations, Ch. 8; water and sewers, Ch. 14; zoning ordinance, Ch. 15; intent and purpose of residential planned unit development, Ch. 15, art. 12.

**State law references**—Codification of subdivision ordinance, Code of Virginia, § 15.1-37.3; land subdivision and development, Code of Virginia, § 15.1-465 et seq.; Virginia Public Records Act, Code of Virginia, § 42.1-76 et seq.

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## ARTICLE 1. TITLE AND PURPOSE

### Section 1. Title.

This ordinance shall hereafter be known, cited and referred to as the "Subdivision Ordinance of Goochland County, Virginia."

### Section 2. Purpose.

This ordinance is adopted for the following purposes:

1. To promote the public health, safety and general welfare.
2. To establish standards and procedures for the orderly division, subdivision and resubdivision of lots, tracts and parcels of land in Goochland County, for residential purposes.
3. To ensure proper legal description and proper monumenting of subdivided land.
4. To ensure that purchasers of lots, tracts and parcels of land purchase a commodity that is suitable for the intended use.
5. To provide for safe, legal, efficient and environmentally compatible ingress and egress to properties and neighborhoods.
6. To facilitate the provision of adequate public facilities, services and utilities in the safest, most efficient, economic and environmentally compatible manner possible.
7. To avoid undue congestion of land and streets.
8. To facilitate the implementation of the official Goochland County comprehensive plan.
9. To implement Article 7, Sections 15.1-465 through 15.1-485, Code of Virginia 1950 (as amended).

### Section 3. Intent.

These regulations are established with reasonable consideration for the existing character of the county with a view toward conserving the

value of the land and buildings while providing the best possible environment for human habitation.

## ARTICLE 2. JURISDICTION, AUTHORITY, ENFORCEMENT AND PENALTY

### Section 1. Jurisdiction.

The subdivision regulations herein shall apply to the division, subdivision or resubdivision of all lots, tracts, or parcels of land unless explicitly exempted by Article 5, Section 1, situated either wholly or partly within the boundaries of Goochland County, Virginia in accordance with Section 15.1-465 [through Section 15.1-485] of the Code of Virginia 1950 (as amended).

### Section 2. Authority.

The board of supervisors pursuant to the recommendation of the planning commission and public hearing held in accordance with Virginia Code Section 15.1-431 does hereby exercise the power conferred by Virginia Code Section 15.1-465 through Section 15.1-485 to assure the orderly subdivision of land, and the power conferred by Virginia Code Section 15.1-447 to implement the comprehensive plan of Goochland County, and the general power as conferred under Virginia Code Section 15.1-510.

2.1. *County planning commission.* The Goochland County Board of Supervisors did confer the power to approve or disapprove subdivision plats to the planning commission on December 1, 1965 pursuant to Virginia Code Section 15.1-475.

The county planning commission will review all subdivisions of five (5) or more lots which require state subdivision roads and may review subdivisions that contain only three (3) lots in Article 6, Section 3.

**Cross reference**—Planning commission, § 11-31 et seq.

2.2. *Plats officer.* The plats officer appointed by the board of supervisors is vested with the following responsibilities pertaining to subdivision:

1. Advise engineers, subdividers, and the public regarding local procedures and standards and actions of the planning commission regarding subdivision plats review.

- 2. To notify the planning commission, board of supervisors and county attorney whenever any provisions of this ordinance have been violated.
- 3. Act as advisor to the planning commission regarding matters of plats review.
- 4. Act as technical administrator and coordinator to the planning commission.
- 5. Collect all plat fees due the County of Goochland and transfer to the treasurer for deposit in the general fund.
- 6. Act as agent for the county to certify and authorize recordation of the initial four (4) parcels subdivided from a parent tract.
- 7. Any and all decisions of the plats officer may be appealed to the planning commission.

**Cross reference**—Administration, Ch. 2.

2.3. *The county health department.* The county health department shall review the water supply and sewage disposal facilities to be provided on all tentative and final plats referred to it by the planning commission. Determinations and recommendations shall be forwarded in writing to the planning commission.

**Cross references**—Health and sanitation, Ch. 7; water and sewers, Ch. 14.

2.4. *The Virginia Department of Transportation.* The Virginia Department of Transportation shall review all street plans and shall make determinations as to adequacy of proposed streets and drainage facilities in terms of alignment, design, etc. based upon anticipated traffic volumes and runoff.  
(Ord. of 8-1-00)

**Section 3. Enforcement and penalty.**

1. No person shall sell, convey or record a deed to land subdividing off a parcel without making and recording a plat of such subdivision and without fully complying with the provisions of this ordinance and Title 15.1, Chapter 11, of the Virginia Code. Any single division which results in a lot equal to or in excess of twenty (20) acres shall not require a surveyor's plat.

2. No final subdivision plat shall be recorded unless and until it shall have been submitted to and approved by the plats officer or planning commission in accordance with the requirements of this ordinance.

3. No person shall sell or transfer any such land by reference to or exhibition of or by other use of a plat of a subdivision before such plat has been duly recorded under this ordinance or a previous subdivision ordinance, provided that nothing herein contained shall be construed as preventing the recordation of the instrument by which such land is transferred or the passage of title as between the parties to the instrument.

4. Any person violating the provisions of this ordinance shall be subject to a fine of not more than five hundred dollars (\$500.00) for each lot or parcel of land so subdivided or transferred or sold; and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided.

5. Upon and after December 13, 1988, the effective date of this amended ordinance, the clerk of the circuit court shall not file or record a plat of a subdivision required to be recorded until such plat has been approved as required herein, and penalties provided by Section 17-59 of the Virginia Code shall apply to any failure to comply with the provisions of this ordinance.

**ARTICLE 3. INTERPRETATION AND SEVERABILITY**

**Section 1. Interpretation.**

1. In their interpretation and application, the provisions of this ordinance are required for the promotion of the public health, safety, and general welfare.

2. Where the conditions imposed by any provisions of this ordinance upon the subdivision of land are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this ordinance or of any other applicable law, ordinance, resolution, rule, or regula-

tion of any kind, the regulations which are more restrictive or impose higher standards or regulations than such easements, covenant, or any other private agreement, the requirements of this ordinance shall govern.

3. This ordinance is not intended to abrogate any easement, covenant, or any other private agreement, provided that where the regulations of this ordinance are more restrictive or impose higher standards of regulations than such easements, covenant, or other private agreement, the requirements of this ordinance shall govern.

4. In the construction of this ordinance, the interpretations and definitions contained in this section shall be observed and applied, except when the context clearly indicates otherwise;

- a. Words used in the present tense shall include the future, and words used in the singular number shall include the plural number and the plural shall include the singular.
- b. The word "shall" is mandatory and not discretionary.
- c. The word "may" is permissive.
- d. The masculine gender includes the feminine and neuter.
- e. Unless the natural construction of the word indicates otherwise, the word "lot" includes the words "tract" and "parcel."
- f. The word "approve" shall be considered to be followed by the words "or disapprove."
- g. Reference to this ordinance includes all ordinances amending or supplementing the same; all distances and areas refer to measurement in a horizontal plane.

### Section 2. Severability.

It is hereby declared to be the intention of the board of supervisors of Goochland County that the several provisions of this ordinance be severable in accordance with the following:

1. If any court of competent jurisdiction shall adjudge any provision of this ordinance to

be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment.

2. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular subdivision of land, such judgment shall not affect the application of said provision to any other subdivision of land, not specifically included in said judgment.

## ARTICLE 4. DEFINITIONS

### Section 1. Definitions.

1. *Agent*: The planning commission or plats officer of Goochland County as designated by the board of supervisors to review and approve the subdivision of land and the plat of such subdivision when wholly or partly within the county.

2. *Alley*: A public or private right-of-way primarily designed to serve as a secondary access to the side or rear of those properties whose frontage is on some other street.

3. *Block*: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways or boundary lines of the County of Goochland.

4. *Building*: Any structure built for the support, shelter or enclosure of persons, animals, chattels or movable property of any kind and which is permanently affixed to the land.

5. *Building setback line*: A line within a lot or other parcel of land on the recorded plat, between which line and the adjacent boundary of the street, the erection of a building is prohibited.

6. *Commission*: The Planning Commission of Goochland County, Virginia.

7. *Cul-de-sac*: A local street or road with only one (1) outlet and having the other end for the reversal of traffic movement. (Ord. of 8-1-89)

8. *Developer*: Any person, group of persons, corporation, or other legal entity who, having an interest in land directly or indirectly sells, leases or develops or offers to sell, lease or develop, or

advertises for sale, lease or development any lot, tract, parcel, site, unit or interest for residential, commercial or industrial development as defined herein.

9. *Development, commercial*: The erection or construction of a building or structure intended for use as a business establishment engaged in the storage, cartage, sale or resale of goods, wares or merchandise and/or personal services, either directly or indirectly, to consumers, retailers, wholesalers or jobbers.

10. *Development, industrial*: The erection or construction of a building or structure for the production, processing, cleaning, servicing, testing or repair of materials, goods or products.

11. *Dwelling*: Any building containing one (1) or more dwelling units but not including hotels, motels, boarding- or lodginghouse or trailer.

- a. *Dwelling, multiple-family*: A dwelling or building containing three (3) or more dwelling units.
- b. *Dwelling, single-family (detached)*: A dwelling unit which is designed to be and is substantially separate from any other structures except accessory structures.
- c. *Dwelling, two-family*: A dwelling containing two (2) dwelling units.

12. *Dwelling unit*: One (1) or more rooms which are arranged, designed, or used as living quarters for one (1) family only. Individual bathrooms and complete kitchen facilities, permanently installed, shall always be included for each dwelling unit.

13. *Easement*: An interest in land owned by another that entitles its holder to a specific limited use.

14. *Engineer*: The engineer of the county or other officer or agency designated by the board of supervisors to control the improvement of streets, installation of utilities or other improvements.

15. *Family*: One (1) or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit.

15a. *Family subdivision*: A subdivision permitting a single division of a lot or parcel for the purpose of sale or gift to a member of the immediate

family of the property owner, including the family member's spouse. A member of the immediate family is defined as any person who is a natural or legally defined offspring, stepchild, spouse, sibling, grandchild, grandparent or parent of the owner.

16. *Final plat*: A map and any accompanying material prepared by the subdivider and approved by the Goochland County planning commission or plats officer in accordance with the provisions of Article 6, section 2 and Article 8, section 3 of this ordinance to be recorded as a subdivision.

17. *Governing body*: The board of supervisors of Goochland County, Virginia.

18. *Health official*: The health officer of Goochland County, or his duly authorized representative, the sanitarian.

19. *Highway engineer*: The resident engineer employed by the Virginia Department of Transportation.

20. *Jurisdiction*: The area of territory subject to the legislative control of the governing body.

21. *Lot*: A numbered and recorded portion of a subdivision intended for transfer of ownership or for building development for a single building and its accessory building.

- a. *Lot, corner*: A lot abutting upon two (2) or more streets at their intersection; the shortest side fronting upon a street shall be considered the front of the lot, and the longest side fronting upon a street shall be considered the side of the lot.
- b. *Lot, depth of*: The mean horizontal distance between the front and rear lot lines.
- c. *Lot, double frontage*: An interior lot having frontage on two (2) streets; to be avoided wherever possible.
- d. *Lot, interior*: A lot other than a corner lot.
- e. *Lot, width of*: The mean horizontal distance between the side lot lines. The lot width shall be at least twenty-five (25) percent of the lot depth. This means that a lot or parcel that has one thousand

(1,000) feet of depth must be at least two hundred fifty (250) feet in width at the setback line.

22. *Lot, flag*: A residential building lot that utilizes unique physical features but does not have the required lot width at the minimum setback. An additional elongated strip (minimum fifty (50) feet wide and maximum three hundred (300) feet long) is required to allow at least fifty (50) feet of property on right-of-way. (Allowed by the planning commission; see Article 5, Section 12.) The access strip cited above shall serve as a private driveway and shall not be eligible for a rural addition nor any public expenditure unless made to meet state secondary road standards at no cost to either the county or the commonwealth.

23. *Lot of record*: A lot which has been recorded in the clerk's office of the circuit court of Goochland County, Virginia.

24. *Parent tract*: A separate lot, tract, or parcel of land conveyed by deed, devised by will, or passing pursuant to the laws of descent and distribution, the boundaries of which are shown by a plat or described by metes and bounds, and recorded in the clerk's office of Goochland County, Virginia on or before April 19, 1979; for purposes of this definition, the Goochland County tax map may be used to identify parent tracts.

25. *Physical improvements*: Any structure such as drainage structures, central water systems, central sewage disposal systems, bridges, etc., and such other improvements as the agent may designate.

26. *Plat*: Includes the terms "map," "plot," "replat," or "replot"; a map or plan of a tract or parcel of land which is to be, or which has been, subdivided. When used as a verb, "plat" is synonymous with "subdivide."

[27. *Reserved*.]

28. *Purchaser*: An actual or prospective purchaser or lessee of any lot in a subdivision.

29. *Street*:

- a. *Street, major*: A through street or road that carries a large volume of through traffic, or anticipated traffic exceeding five hundred (500) vehicles per day.

- b. *Street, private*: A street affording a means of private access to two (2) or more abutting properties having a right-of-way of not less than fifty (50) feet in width constructed standards as stated in Article 5, section 6 of this ordinance.

- c. *Street, public*: A thoroughfare, dedicated and accepted by the Virginia Department of Transportation for abutting property, including road, highway, drive, lane, avenue, place, boulevard, or any other thoroughfare except an alley.

- d. *Street or alley, public use of*: The unrestricted use of a specified area or right-of-way for ingress and egress to two (2) or more abutting properties.

- e. *Street, service drive*: A public right-of-way generally parallel and contiguous to a major highway, primarily designed to promote safety by eliminating promiscuous ingress and egress to the right-of-way by providing safe and orderly points of access to the highway.

- f. *Street, through*: A street, or roadway easement which affords the principal means of access to abutting properties and providing a link between two (2) or more road rights-of-way.

- g. *Street width*: The total width of the strip of land dedicated or reserved for public travel, including roadway, curbs, gutters, sidewalks and planting strips.

30. *Subdivide*: The division, subdivision or resubdivision of a lot, tract or parcel of land into two (2) or more parts.

31. *Subdivider*: Any person, firm or corporation owning any tract, lot or parcel of land to be subdivided or a group of two (2) or more persons acting in concert, or who has or have given their power of attorney to one (1) of their group or to another individual to act on their behalf, in planning, negotiating for in representing or executing the legal requirements of the subdivision ordinance.

32. *Subdivision.* The term subdivision shall mean the division of land into two (2) parcels of land for the purpose of transfer of ownership or building development. The sale or exchange of parcels between adjoining lot owners, where such sale does not create additional lots, shall be exempt from the provision of the ordinance. Also, the first two (2) divisions of land into parcels which are twenty (20) acres or more and all parcels in excess of forty (40) acres will not count toward a major subdivision, but will be counted for road construction requirements as spelled out in Article 5, Section 6 of the Subdivision Ordinance.

33. *Surveyor:* A certified land surveyor authorized to do business in the State of Virginia.

34. *Variance (hardship):* A relaxation or variance of the terms of this ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship.

35. *Vicinity map:* The vicinity or location map shall show the relationship of the proposed subdivision to existing community facilities which serve or influence it. The map shall include subdivision name and location, main traffic arteries, elementary schools, parks and playgrounds, scale, north arrow and date.

36. *Water supply:*

- a. *Individual well:* A well supplying a source of water to one (1) lot.
- b. *Central water supply and distribution system (Type A):* A central water system serving not more than fifteen (15) connections in the case of residential consumers.
- c. *Central water supply and distribution system (Type B):* A central water system serving the public or more than twenty-five (25) individuals, or in the case of residential consumers, to more than fifteen (15) connections.

- d. *Public water supply and distribution system:* Type A water system owned and operated by the county.  
(Ord. of 12-13-88; Ord. of 2-20-96(2); Ord. of 9-16-97(3); Ord. of 8-1-00; Ord. of 11-6-00(4); Ord. of 2-5-02(2), § 9; Ord. of 10-5-10(4), § 1; Ord. of 4-21-14(4), § 1)

**ARTICLE 5. GENERAL REGULATIONS**

**Section 1. Exceptions.**

The term "subdivision" shall not apply to:

- 1. *Adjoining properties.* The sale or exchange of parcels of land between owners of adjoining properties for the purpose of adjustments in boundaries; provided that such sale or exchange shall not create a parcel of land less than the minimum requirements stipulated by county ordinance.
- 2. *Utility rights-of-way; public, private rights-of-way.* A bona fide division of a tract of land in order that one (1) or more of the resulting parcels may be used as part of a public right-of-way. If a parcel resulting from such division is ever to be used as a building site for other than a hereinabove described right-of-way, then before a building permit may be issued for such other use, the minimum requirements of this ordinance and the zoning ordinance shall be observed.

**Section 2. Necessary changes.**

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

**Section 3. Fees.**

There shall be a charge for the examination and approval or disapproval of every subdivision

plat of lots required by the planning commission and the plats officer. Such fees are set by the governing body.  
(Ord. of 3-15-94(1); Ord. of 6-1-04)

#### **Section 4. Land must be suitable.**

The agent shall not approve the subdivision of land if from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed.

#### **Section 5. Part of a tract.**

Whenever part of a tract is proposed for platting and it is apparent that the intention is to subdivide additional parts in the future, the tentative plat shall include a sketch showing intended subdivision of the entire tract.

#### **Section 6. Access.**

1. If a subdivision results in five (5) or more lots being accessed by the same subdivision road, then that subdivision road must be constructed either in accordance with subdivision street standards established by the Virginia Department of Transportation, or, if more restrictive, in accordance with the zoning ordinance.

2.—4. *Reserved.*

5. If there are corner lots created that meet the road frontage requirements on existing public roads, then those lots are required to access the interior subdivision road and are prohibited from accessing the existing public road.

6. *Reserved.*

7. All lots in a major subdivision are required to be accessed by an internal subdivision road system. The internal subdivision road system is permitted to have one (1) curb cut to existing roads except as otherwise required in Article 7, Section 9.13 of this ordinance, or if there are unusual topographic features which preclude all lots from being accessed by interior roads, as determined by the community development director.

8. Right-of-way dedication to the ultimate right-of-way width established in the major thoroughfare plan (MTP) is required for subdivision of property along public roads.

9. No more than two (2) residential lots can share access through a driveway.

10. *Private roads.* Private road plans must be prepared by a professional engineer or a certified professional land surveyor who is required to certify that the road has been constructed according to these plans and requirements.

11. For roads in a minor subdivision that provide access to three (3) or four (4) lots, or for family subdivisions of no more than six (6) lots, the private road must meet the following:

- a. Six (6) inches of crushed gravel or stone depth.
- b. Minimum twenty (20) feet of gravel road width, or more, if required under the Goochland County Fire Prevention Code.
- c. Positive drainage on a road profile.
- d. Constructed and maintained to withstand vehicles weighing up to 75,000 pounds.

(Ord. of 2-20-96(2); Ord. of 9-16-97(3); Ord. of 8-1-00; Ord. of 12-5-00; Ord. of 2-5-02(2), § 10; Ord. of 9-3-02(3) ; Ord. No. 5970, § 7, 7-2-24)

#### **Section 7. Maximum residential densities.**

The maximum residential densities allowable within residential subdivisions shall be in accordance with the provisions of the zoning ordinance of Goochland County.

**Cross reference**—Zoning, App. A.

#### **Section 8. Reserved.**

**Editor's note**—Section 2 of an ordinance adopted April 21, 2014, repealed § 8 which pertained to mandatory dedication of open space.

#### **Section 9. Conditions.**

The plat shall not be approved until the subdivider has complied with the general requirements and minimum standards of design in accordance with this ordinance, and has made satisfactory arrangements, as hereinbefore

provided, to cover the cost of necessary improvements. Approval of final plat shall be written by the agent on the face thereof.

- 1. Nothing herein shall be construed to affect the approval by the commission of a plat of subdivision lawfully granted prior to December 13, 1988.

**Section 10. Vacation of plats.**

10.1. Vacation of plat before sale of lot therein. Any such plat recorded, or part thereof, may be vacated according to either of the following methods with the payment of a fee as set by the county board of supervisors:

- (a) With the consent of the plats officer, (1) by the owners, proprietors and trustees, if any, who signed the statement required by Article 5, section 10.2.1 of this ordinance at any time before the sale of any lot therein, (2) by a written instrument, declaring the same to be vacated, duly executed, acknowledged or proved and recorded in the Goochland County Clerk's Office. In the plats officer's discretion, any proposed vacation may be referred to the planning commission. The execution and recordation of such writing shall operate to destroy the force and effect of the recording of the plat or part thereof so vacated and to divest all public rights in, and to reinvest such owners, proprietors and trustees, if any, with the title to the streets, alleys, easements for public passage and other public areas laid out or described in such plat.
- (b) By ordinance of the board of supervisors, or motion of one of its members or on application of any interested person, provided that no facilities for which bonding is required pursuant to Virginia Code Sections 15.2-2241 through 15.2-2245 have been constructed on the property and no facilities have been constructed on any related section of the property located in the subdivision within five years of date on which the plat was first recorded.

The ordinance shall not be adopted until after notice has been given as required by Section

15.2-2204. The notice shall clearly describe the plat or portion thereof to be vacated and state the time and place of the meeting of the board of supervisors at which the adoption of the ordinance will be voted upon. Any person may appear at the meeting for the purpose of objecting to the adoption of the ordinance. An appeal from the adoption of the ordinance may be filed within thirty (30) days of the adoption of the ordinance with the Goochland County Circuit Court having jurisdiction of the land shown on the plat or part thereof to be vacated. Upon appeal, the court may nullify the ordinance if it finds that the owner of the property shown on the plat will be irreparably damaged. If no appeal from the adoption is filed within the time above provided or if the ordinance is upheld on appeal, a certified copy of the ordinance of vacation may be recorded in the Goochland County Circuit Court Clerk's Office.

The execution and recordation of the ordinance of vacation shall operate to destroy the force and effect of the recording of the plat, or part thereof, and reinvest the owners, properties and trustees, if any with the title in the plat.

10.2. *Vacation of plat after sale of lot.* In cases where any lot has been sold, the plat or part thereof may be vacated according to either of the following methods with the payment of a fee as set by the county board of supervisors:

- a. By instrument in writing agreeing to said vacation signed by all the owners of lots shown on said plat and also signed by the plats officer on behalf of the board of supervisors for the purpose of showing the approval of such vacation by the board. In the plats officer's discretion, any proposed vacation may be referred to the planning commission. The word "owners" shall not include lien creditors except those whose debts are secured by a recorded deed of trust or mortgage and shall not include any consort of an owner. The instrument of vacation shall be acknowledged in the manner of a deed and filed for record in the clerk's office.
- b. By ordinance of the board of supervisors on motion of one of its members or on

application of any interested person. Such ordinance shall not be adopted until after notice has been given as required by Virginia Code Section 15.2-2204. Said notice shall clearly describe the plat or part thereof to be vacated and state the time and place of the meeting of the board of supervisors at which the adoption of the ordinance will be voted upon. Any person may appear at said meeting for the purpose of objecting to the adoption of the ordinance. An appeal from the adoption of the ordinance may be filed within thirty (30) days with the Goochland County Circuit Court. Upon such appeal, the court may nullify the ordinance if it finds that the owner of any lot shown on the plat will be irreparably damaged. If no appeal from the adoption of the ordinance is filed within the time above provided, or if the ordinance is upheld on appeal, a certified copy of the ordinance of vacation may be recorded in the office of the clerk of circuit court.

Roads within the secondary system of highways may be vacated under either of the preceding methods and the action will constitute abandonment of the road, provided the land shown on the plat or part thereof to be vacated has been the subject of a rezoning or special exception application approved following public hearings required by Virginia Code Section 15.2-2204 and provided the Commonwealth transportation commissioner or his agent is notified in writing prior to the public hearing, and provided further that the vacation is necessary in order to implement a proffered condition accepted by the Goochland County Board of Supervisors pursuant to Virginia Code Sections 15.2-2297 or 15.2-2298 or to implement a condition of special exception approval. Pursuant to Virginia Code Section 15.2-2272, all abandonments of roads within the secondary system of highways sought to be effected according to either of the preceding methods before July 1, 1994, are validated, notwithstanding any defects or deficiencies in the proceeding; however, property rights which have vested subsequent to the attempted vacation are not impaired by such validation. The manner of reversion shall not be affected by this section.

10.3. *Vacation of boundary lines.* In addition to the procedures in sections 10.1 and 10.2, above, the boundary lines of any lot or parcel of land shown on a valid and properly recorded plat of subdivision or resubdivision (i) approved as provided in this subdivision ordinance, or (ii) properly recorded prior to applicability of a subdivision ordinance, and executed by the owner or owners of land as required by law, may be vacated, relocated, or otherwise altered upon approval by the plats officer. Nothing herein shall require the plats officer to approve any desired vacation, relocation or alteration of any boundary line, and the plats officer may require any applicant hereunder to follow the procedures of sections 10.1 or 10.2, as applicable. This subsection 10.3 shall not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas. No easements or utility rights-of-way shall be relocated or altered without the express consent of all persons holding any interest therein.

10.4. *Effect of vacation under Article 5, section 10.2.* The recordation of an instrument of vacation as provided in Article 5, section 10.2.1 or section 10.2.2 shall operate to destroy the force and effect of the recording of the plat or part thereof so vacated, and to vest fee simple title to the centerline of any streets, alleys or easements for public passage so vacated, in the owners of abutting lots free and clear of any rights of the public or other owners of lots shown on the plat, but subject to the rights of the owners of any public utility installations which have been previously erected therein. If any such street, alley or easement for public passage is located on the periphery of the plat, such title for the entire width thereof shall vest in such abutting lot owners. The fee simple title to any portion of the plat so vacated as was set apart for other public use shall be revested in the owners, proprietors and trustees, if any, who signed the statement required by Section 15.2-2264 of the Virginia Code, free and clear of any rights of public use in the same.

10.5. *Duty of clerk when plat is vacated.* The clerk shall write in plain legible letters across such plat, or the part thereof so vacated, the

word "vacated," and also make a reference on the same to the volume and page in which the instrument of vacation is recorded. (Ord. of 9-3-02(4); Ord. of 6-3-03(2); Ord. of 6-1-04)

**Section 11. Administrative authority.**

In addition to the regulations herein contained for the platting of the subdivision, the agent may, from time to time, establish any reasonable additional administrative procedures deemed necessary for the proper administration of this ordinance.

**Section 12. Flag lots, permitted by planning commission.**

The planning commission shall review each request for any major subdivision requesting an exception to utilize a flag lot configuration. No flag lot configuration shall be permitted unless the planning commission finds that, due to the topographic features or other unique physical characteristics of the land, the property cannot be reasonably utilized for a building site(s) without resorting to a flag lot configuration.

A "flat lot" shall be defined as any lot utilizing a fifty-foot to seventy-five-foot wide stem for access to a public or a private road.

No flag lot or lots shall be permitted by the planning commission unless it finds:

- (1) That the refusal to allow a flag lot configuration would produce undue hardship.
- (2) That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
- (3) That the flag lot or lots will not be substantial detriment to adjacent property or property located across any public roadway.
- (4) That the character of the zoning district will not be changed by allowing the flag lot or lots.
- (5) That the flag lot or lots will not unduly contribute to congestion of the public roadways or cause hazardous highway

safety conditions with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access for fire, rescue and sheriff department vehicles.

In permitting any flag lot or lots, the planning commission may impose such conditions regarding the location, character and other features of the flag lot configuration as it may deem necessary in the public interest, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.

The elongated portion of a flag lot: (a) shall not be used in computing necessary lot area needed for sanitation facilities; (b) shall be a minimum width of fifty (50) feet; and (c) shall be no more than three hundred (300) feet in length. Adjoining flag lots may use joint driveways provided that each lot shall front at least fifty (50) feet on a public right-of-way providing an aggregate width of not less than one hundred (100) feet for both lots at the public road. No more than two (2) such flag lots access points shall abut each other. No flag lot or lots shall be allowed that are accessed by private roads. No more than one (1) flag lot shall be created in any minor subdivision. The plats officer can review and approve a flag lot in a minor subdivision. All flag lots in major subdivisions are to be reviewed by the planning commission. (Ord. of 2-20-96(3))

**Section 13. Additional right-of-way required.**

In cases where subdivision lots are created on an existing state road having a total width of less than fifty (50) feet, a dedication of additional right-of-way to the County of Goochland is desirable and in accordance with the objectives in the comprehensive plan. However, such dedication is not required unless, within a five-year period, three (3) subdivision lots are created by the same owner or any entity partially or wholly controlled by said owner or said owner's spouse, their successors and assigns, which front on the same road, any one (1) of which subdivisions is within one-half mile of another. Should said subdivision

occur, the plats officer shall not approve the third lot or any successive lot unless he reviews the advisability of requiring a dedication of additional right-of-way, and if dedication of additional right-of-way is found to be advisable, shall require the same, so that the road is no less than twenty-five (25) feet in width on the subdivision side measuring from the centerline of said road. Provided, however, the plats officer before requiring dedication shall find a substantial burden will be placed on the existing road by virtue of the creation of said subdivision based on the following criteria:

1. The increase in traffic generated by the subdivision.
2. The distance from the subdivision to the nearest primary road.
3. The drainage and surface treatment of the existing road and that created by the subdivision, the alignment of the road.
4. The condition of the road in general and its relation to the subdivision, including but not limited to number of entrances, shoulders, embankments, and any other relevant topographical features.

#### **Section 14. Culs-de-sac on existing roads.**

Any subdivision of land which results in an extension to a state road shall require a cul-de-sac with a turnaround having a right-of-way of not less than one hundred (100) feet in diameter and a graveled roadway of not less than ninety (90) feet in diameter. The cul-de-sac may be shown as temporary if developable land is available to the rear.

#### **Section 15. Family subdivision.**

Each family subdivision shall be subject to the following plats officer review:

1. Check the proposed lot for size, shape, configuration, and setback.
2. Check the existing or proposed right-of-way for compliance with this ordinance. All lots of less than five (5) acres shall have a reasonable right-of-way of not less

than twenty (20) feet providing ingress and egress to a dedicated recorded public street or thoroughfare.

3. Verification of number of lots divided from parent tract.
4. Only one (1) such subdivision shall be allowed per family member and shall not be for the purpose of circumventing the zoning ordinance.

(Ord. of 10-5-10(4), § 2)

#### **Section 16. Erosion control plans.**

Prior to the approval of final plat for major, minor and family subdivision, the subdivider shall submit to the county engineer, erosion control plans for all roads and required improvements. These plans shall be approved and bonds or letters of credit submitted to Goochland County guaranteeing the implementation of erosion control measures. The plans must be approved and the bond or letter of credit secured prior to the plat being approved for recordation.

(Ord. of 2-7-00)

#### **Section 17. Identification of burial sites.**

The qualified professional preparing the plans for major, minor and family subdivisions shall conduct a one hundred-year plat search of the property to determine if burial sites are on the property and to identify the location of such sites. When any grave, object or structure marking a place of burial is located on the land proposed for subdivision, such grave, object or structure shall be identified on any plans or site plans required by this chapter.

(Ord. of 11-6-02(4))

#### **Section 18. Dam break inundation zone.**

During the subdivision plat process, the county shall review the potential impacts of any development proposed within a dam break inundation zone in accordance with the provisions of the Code of Virginia § 10.1-606.3 and § 15.2-2243.1. Site plans shall show the location of a dam break inundation zone, if available.

(Ord. of 1-4-11(1), § 1)

**ARTICLE 6. MINOR SUBDIVISION[S]**

**Section 1. Definition.**

The division of a parent tract into less than five (5) lots and also family subdivisions. Open space parcels are permitted and will not count as building lots provided the open space is deeded to a homeowner's association and has a conservation easement preserving the open space approved by and conveyed to the Goochland Public Recreational Facilities Authority and the board of supervisors.

(Ord. of 6-4-02(2); Ord. of 10-5-10(4), § 3)

**Section 2. Plat requirements.**

1. The following requirements shall be adhered to in preparing plats for minor subdivisions:

- (a) Blue line or black line prints at a preferred scale of not more than two hundred (200) feet to the inch. The plats officer can exercise discretion in approving other scales if circumstances justify an adjustment.
- (b) The plat shall be prepared by a qualified professional with certificates or seals signed by the engineer or surveyor certifying the plat.
- (c) The date, scale and true north point shall be shown on the plat.
- (d) A boundary survey with a field error of closure within the limit of one (1) in ten thousand (10,000) and bearings relating to either true north or magnetic north. The location to all monuments and their type of material should also be shown. Dimensions shall be expressed in feet and decimals of a foot.
- (e) Location of the subdivision by magisterial district, assessor's parcel number(s), county and state.
- (f) The boundary lines of all existing and proposed blocks and lots located within the subdivision, except that when the lines in any tier of lots are parallel, it shall be sufficient to make bearings of the outer lines on one (1) tier thereof.

- (g) Easements shall be shown by centerline and width when lines are parallel to a boundary, otherwise boundary bearings and distances shall be shown. Where the exterior boundary lines show bearings or lengths which vary from those recorded in abutting plats or certified surveys, there shall be the following note placed along such lines: "recorded as (show recorded bearings or length or both)."
- (h) Dimensions shall be shown along all boundaries of all lots and the acreage marked within the lots.
- (i) All minor subdivision plats will comply with the requirements for final plats to include the recordation of such plats within sixty (60) days of approval.
- (j) The names of adjoining streets, state highways and subdivisions shown in their proper location.
- (k) Approved space: A blank oblong space three (3) inches by four (4) inches shall be reserved for the use of the approving authorities.

2. All lots in minor subdivisions shall have an approved residential sewage disposal system permitted by law located on the lot.

3. The use of residential sewage disposal systems shall only be permitted in full compliance with the requirements of Chapter 14 of the Goochland County Code.

4. *Private roads.* The following statement is required on all plats containing private roads:

"This subdivision plat contains one or more private access roads located within one or more privately-owned easements. The responsibility for the repair and maintenance of the private roads and easements, including snow removal, shall be shared pro rata based upon the number of lots owned within the subdivision that are served by the private roads. The private roads must be constructed and maintained, at a minimum, as a gravel roadway, with maintenance to be determined in the sole discretion of the owners of the lots served; provided, however, that the road must

comply with all Goochland county private road standards and other applicable ordinances, regulations, and requirements, as they may be amended from time to time. The subdivider and all owners of lots within this subdivision, by purchasing their lots, hereby acknowledge and agree that compliance with this paragraph is a private responsibility and NOT A PUBLIC RESPONSIBILITY. The foregoing paragraph and its conditions are covenants running with the land."

(Ord. of 2-5-02(2), § 11; Ord. of 9-3-02(5); Ord. of 6-3-08(4), § 1; Ord. No. 5970, § 8, 7-2-24)

### Section 3. Review process, plats officer.

Minor subdivisions consisting of up to four (4) lots shall be reviewed by the plats officer without further review by the planning commission for such subdivisions that have no more than two (2) access drives to an existing public or private road. If such subdivision has more than two (2) access drives to an existing road, then it will be reviewed by the planning commission. Shared access shall be encouraged and shall count as only one (1) access point. Family subdivisions shall be reviewed by the plats officer.

Prior to recordation, all plats of subdivision must be reviewed by the Goochland plats officer. The plats officer shall determine the following:

- (a) Check the proposed lot for size, shape, configuration, and setback.
- (b) Check the existing or proposed right-of-way for compliance with this ordinance.
- (c) Verification of number of lots divided from parent tract.
- (d) Existing physical features such as natural drainageways.
- (e) Existing easements affecting the property.
- (f) Surrounding land uses, streets and existing buildings.
- (g) The existence of new roads built to county specifications of the subdivider's proposals and assurances for road construction.
- (h) All minor subdivisions, which are accessed by private rights-of-way, will be stamped with a special stamp that states "This

subdivision is served by private roads and there will be no public maintenance unless made to meet state secondary road standards at no cost to either the county or the commonwealth.

- (i) All minor subdivisions containing more than two (2) lots shall have soils reports prepared for individual lots by a licensed soil consultant. These soil reports shall be subject to the approval of the Virginia Department of Health prior to the plat being approved by the plats officer.

- (j) All minor subdivisions containing more than two (2) lots which are accessed by a private road or right-of-way shall have their entrances to state maintained public roads reviewed by the county engineer and the Virginia Department of Transportation prior to plat approval by the plats officer. No such plat shall be approved unless the entrance has an existing commercial entrance permit or meets the VDOT's current minimum standards of entrances to state highways. If either the county engineer or VDOT disapproves an entrance, the party submitting the plat shall be provided an opportunity to amend the plat to provide an alternate entrance. If an approved entrance cannot be obtained, then the plat shall be disapproved.

- (k) Check plat for identification of any grave, object or structure marking a place of burial.

(Res. of 11-7-90; Ord. of 1-16-96; Ord. of 2-20-96(4); Ord. of 8-1-00; Ord. of 2-5-02(2), § 12; Ord. of 11-6-02(4); Ord. of 6-3-08(4), § 1; Ord. of 10-5-10(4), § 3)

### Section 4. Streets.

Public streets intended for addition to the secondary system of state highways for maintenance are required to be constructed to the minimum standard in accordance with the subdivision street requirements of the Virginia

Department of Transportation, or to a higher, more restrictive standard if prescribed by this Code.  
(Ord. of 2-7-00; Ord. No. 5970, § 9, 7-2-24)

**ARTICLE 7. MAJOR SUBDIVISIONS**

**Section 1. Definition.**

The division of a parent tract into five (5) or more lots.

1.1. *Subdivision name.* Every subdivision shall be given a name which shall not duplicate or closely approximate that of any other subdivision existing or planned.

**Section 2. Public and semipublic facilities.**

All improvements as required herein shall be installed within subdivisions by the subdivider at his own expense. Specifications and requirements as established by the governing body shall be followed. The subdivider's bond in reference to Article 7, section 3 shall not be released until construction, in conformance with the requirements of this ordinance, has been inspected and approved by the agent and highway engineer.

2.1. *Plans and specifications.* Six (6) blue or black line prints of the plans and specifications for all required physical improvements to be installed shall be prepared by an engineer or surveyor. These plans shall be submitted to the agent through the plats officer for approval or disapproval at least sixty (60) days prior to submission of the final plat. If approved, one (1) copy bearing certification of such approval shall be returned to the subdivider upon receipt from the Virginia Department of Transportation. If disapproved, all papers shall be returned to the subdivider with the reason for disapproval in writing.

2.2. *Flood control and drainage.* The subdivider shall provide all necessary information needed to determine what improvements are necessary to properly develop the subject property. This information shall include contour intervals, drainage plans and flood control devices in accordance with Article 8, section 2.1.b.i of this ordinance

and Virginia Department of Transportation specifications. The subdivider shall also provide plans for all such improvements together with an engineer's or surveyor's statement that such improvements when properly installed will be adequate for proper development. The highway engineer or agent shall then approve or disapprove said plans. The subdivider shall also provide any additional information required by the resident highway engineer or agent.

**Cross reference**—Floodplain district, App. A, Art. 16.

2.3. *Easements.* The agent may require that easements for drainage and utilities through adjoining property be provided by the subdivider. Easements of not less than sixteen (16) feet in width shall be provided for water, sewer, power lines and other utilities in the subdivision when required by the agent.

1. Easements along natural watercourses: Wherever a subdivision is traversed by a natural drainageway through which water flows continuously or intermittently, there shall be provided an easement conforming substantially with the boundaries of such watercourse and such further width as may be necessary for drainage and utilities at this location.
2. Any requirements contained herein pertaining to drainage or utility easements are minimal. Hereafter all tentative plats shall be submitted to both the Virginia Department of Transportation and the appropriate electric utility company for review and comment prior to approval of drainage and electrical easements. Where a specification proposed by either of the above-mentioned county specifications and is deemed by the agent to be compatible with county objectives, the more stringent specifications shall prevail.
3. All plats shall contain the following conspicuously placed statement:

Notwithstanding the rights conferred upon Goochland County or VDOT under the drainage easements set forth on this plat, neither Goochland County nor VDOT shall have

an affirmative duty to construct or build any water drainage ditch or any other improvements within such drainage easements, nor to make any repairs or maintenance within such drainage easements.

2.4. *Private water and/or sewer.* Nothing in this regulation shall prevent the installation of privately owned water distribution systems or sewage collection and treatment facilities, provided that such installations meet all requirements of the state water control board, the state health department, and any other state or local regulation having authority over such installation. The location and construction of distribution systems shall be subject to the approval of the county engineer and fire official and shall be in accordance with the provisions of the County of Goochland Water and Sewer Ordinance and NFPA 24 standard for Installation of Private Fire Service Mains and Their Appurtenances.

2.5. *Sanitary sewer systems.*

1. The planning commission shall not approve the use of individual septic systems for any subdivision containing lots of less than thirty thousand (30,000) square feet. All lots in major subdivisions shall have the septic tanks and drainfields located on the lot.
2. The planning commission shall not approve the use of individual septic systems in any subdivision unless it shall receive in writing from the health officer and the plats officer a statement to the effect that the area contained in the subdivision is satisfactory for the installation of septic systems and that they will not create hazards to public health.
3. The plats officer shall not approve the use of individual septic systems in a subdivision unless it is determined beyond a reasonable doubt that the soils are suitable for such. This determination shall be made in writing from the health officer.

**Cross reference**—Water and sewers, Ch. 14.

2.6. *Public water.* Where public water is available, the service shall be extended to all lots within a subdivision. Every subdivision, condominium or cluster development containing any lots of less than thirty thousand (30,000) square feet shall be provided with either a public or centralized water system (Type A or Type B) as defined herein to serve each and every lot.

**Cross reference**—Water and sewers, Ch. 14.

2.7. *Fire protection.*

- (a) The installation of adequate fire hydrants in subdivisions may be required at locations approved by the county engineer and the fire official, provided necessary public or central water is available. Subdivisions not served by a public or central water system shall be required to provide water for fire protection purposes as described herein:
  - (1) No requirements for minor subdivision or up to ten (10) lots;
  - (2) Eleven to seventy-four (11—74) lots will require a minimum of one (1) dry hydrant and a water storage capacity of not less than ten thousand (10,000) gallons; centrally located or as approved by the fire official;
  - (3) Seventy-five or more (75+) lots will require a minimum of two (2) separate dry hydrant locations and a water storage capacity at each site of not less than ten thousand (10,000) gallons located as approved by the fire official or an optional NFPA 24 private fire protection system as approved by the county engineer and the fire official;
  - (4) If static water source/dry hydrant systems are not feasible, a developer may choose to install NFPA 13D domestic residential fire sprinkler systems in all of the homes associated with that subdivision.
- (b) Accessible dry fire hydrants shall be required in subdivisions that contain water impoundments according to the

requirements of this section. Accessibility shall be provided by either a road built to VDOT subdivision standards serving a major subdivision or per NFPA standards for dry hydrant access roads. Any developer of a subdivision affected by this section shall provide adequate assurances acceptable to the county that the access roads to the dry fire hydrants shall be adequately maintained, including, but not limited to, the recordation in the land records of the Goochland County Circuit Court of appropriate subdivision covenants and conditions in a form acceptable to the county attorney assuring the maintenance of the access roads.

- (c) In subdivisions with homeowner associations, fees established by that association shall also cover the annual inspection per NFPA standards and necessary repairs to the dry hydrant system as well as maintenance costs of the all weather road surface. In subdivisions without a homeowner association or prescriptive covenants and conditions, an escrow account shall be established to fund the annual inspection per NFPA standards and necessary repairs to the dry hydrant system as well as maintenance costs of the all weather road surface.
- (d) If a subdivision contains a water impoundment that is at least one-half (1/2) acre in size but less than three (3) acres in size, then the developer shall be required to install at least one (1) dry fire hydrant according to county standards. If the water impoundment is three (3) acres or more in size, then the developer shall be required to install two (2) dry fire hydrants according to county standards. If the subdivision is served by a public or central water system with fire hydrants placed throughout the subdivision, then there shall be no requirement for a dry fire hydrant at the water impoundment site. If the developer is required to install two hydrants, then they shall be located at different locations to increase the area covered by the hydrants.

- (e) All hydrants shall be marked and clearly visible in all subdivisions and installed per NFPA 1142 Rural Water Supply or other acceptable installation standards approved by the fire official.

(Ord. of 6-16-93(2); Ord. of 6-20-95(4); Ord. of 2-5-02(2), § 14; Ord. of 9-3-02(6); Ord. of 8-1-06(2))

**Section 3. Bond.**

Prior to the filing with the plats officer of a final plat for approval, all improvements required under article 7 of this ordinance shall be completed, or provisions made therefor. The following options are available:

- 1. Installation and completion by, and at the cost of, the subdivider in accordance with an approved plan of development. For developments having public roads, complete means right-of-way improvements have been accepted into the state system for maintenance.
- 2. The furnishing by the subdivider of a certified check, performance bond, or other form of surety approved by the county attorney sufficient to cover the cost of all improvements required to be installed by the subdivider. The county staff will estimate the cost at an amount sufficient to guarantee the installation and completion of the improvements.

In the event that the subdivider elects to proceed as outlined in [subsection] 2 above, the subdivider will complete all improvements required under these regulations within eighteen (18) months from recordation of the subdivision plat. Should completion of the improvements not occur within that time, the director of community development may establish a new date of completion, provided that the director determines that the renewal is necessitated by weather or other construction-related conditions beyond the control of the subdivider that prevented the timely installation of the required improvements. Any surety covering the remaining improvements will be evaluated by the POD administrator and, if it is determined to be insufficient to cover the costs of the unfinished

improvements, then the renewal will not be granted unless a new surety is submitted in accordance with [subsection] 2 above. If the improvements required are not completed at the time specified in the County Code or as approved by the director, the county may take the necessary steps to proceed with the accomplishment and completion of the improvements, making use of the surety submitted by the subdivider.

The POD administrator may approve reductions in the surety based upon the administrator's determination of the cost of the incomplete improvements. Surety reductions may not occur before thirty (30) percent or after ninety (90) percent of the improvements have been completed. There will not be more than three (3) reductions to the surety in any twelve (12) month period. For public improvements, release of the full amount of the surety will only be permitted once all public improvements have been satisfactorily completed, accepted by, and taken in for maintenance or operation by the appropriate local department, state agency, or, for right-of-way improvements, the Virginia Department of Transportation. For improvements that will not be maintained by a public agency, release of the full amount of the surety will only be permitted once all the improvements have been satisfactorily completed as determined by the POD administrator or other appropriate county department, and the improvements have been accepted by, and taken in for maintenance or operation by the appropriate responsible entity.

3.1. *Other bond.* The Virginia Department of Transportation shall be furnished a one-year defect bond as of the date the streets are taken into the state's secondary system, or as an alternative, the developer may construct the streets under department inspection, the cost of said inspection to be borne by the developer. (Ord. of 4-15-92; Ord. No. 5574, § 3, 1-3-23)

#### **Section 4. Lots.**

*Lot shape.* The lot arrangement, design, and shape shall be such that lots will provide satisfactory and desirable sites for buildings, and be properly related to topography, and conform to requirements set forth herein. Lots shall not

contain peculiarly shaped elongations solely to provide necessary square footage of area which would be unusable for normal purposes. (Ord. of 4-21-14(4), § 3)

**Cross reference**—Zoning, App. A.

#### **Section 5. Reserved.**

**Editor's note**—Section 3 of an ordinance adopted April 21, 2014, repealed § 5 which pertained to yards, and derived from an ordinance adopted Feb. 5, 2002(2), § 13.

#### **Section 6. Remnants.**

All remnants of lots below minimum size left over after subdividing of a tract must be added to adjacent lots rather than allowed to remain as unusable parcels.

#### **Section 7. Separate ownership.**

Where the land covered by a subdivision includes two (2) or more parcels in separate ownership, and lot arrangement is such that a property ownership line divides one (1) or more lots, the land in each lot so divided shall be transferred by deed to single ownership, simultaneous with the recording of the final plat. Said deed is to be deposited with the agent and held with the final plat until the subdivider is ready to record same, and they both shall then be recorded together.

#### **Section 8. Blocks.**

8.1. *Length.* The minimum length of blocks generally shall be twelve hundred (1200) feet and the minimum length of blocks upon which lots have frontage shall be five hundred (500) feet.

8.2. *Width.* Blocks shall be wide enough to allow two (2) tiers of lots of minimum depth, except where prevented by topographical conditions or size of the property, in which case the agent may approve a single tier of lots of minimum depth.

8.3. *Orientation.* Where a subdivision adjoins a major road, the agent may require that the greater dimension of the block shall front or back upon such major thoroughfare to avoid unnecessary ingress or egress.

**Section 9. Streets.**

Streets are required to be constructed to a minimum standard either as established by the subdivision street requirements of the Virginia Department of Transportation, or, if more restrictive, then to the standard prescribed by the zoning ordinance. Streets are required to be dedicated for public use and intended for addition to the secondary system of state maintenance.

9.1. *Alignment and layout.* The arrangement of streets in new subdivisions is required to provide for the continuation of existing streets in adjoining areas. The street arrangement cannot cause unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide convenient access to it. Where, in the opinion of the plats officer, it is beneficial for the road network to provide street access to adjoining property, proposed streets must be extended by dedication to the boundary of the property. Half streets along the boundary of land proposed for subdivision may not be permitted unless an easement of not less than twenty-five (25) feet in width is granted by the adjacent property owners and recorded in the office of the clerk of circuit court prior to submission of the tentative plat. Wherever possible, streets running with contours are required to intersect at angles of not less than sixty (60) degrees, unless otherwise approved by VDOT.

1. *Approach angle.* Major streets are required to approach major or other streets at an angle of not less than eighty (80) degrees, unless the plats officer, upon recommendation of VDOT, approves a lesser angle of approach for reasons of contour, terrain or matching of existing patterns.
2. *New intersections.* Proposed new intersections along one (1) side of an existing street must, wherever practicable, coincide with any existing intersections on the opposite

side of such street. Street jogs with centerline offsets of less than one hundred fifty (150) feet are not permitted, except where the intersected street has separate dual lanes without median breaks at either intersection. Where subdivision streets intersect major streets, their alignment must be continuous. Street design must locate intersections to assure safe sight distances considering the characteristics of anticipated traffic.

3. *Adjoining property.* Vehicular access must be provided to adjoining properties where:
  - a. Required by the major thoroughfare plan;
  - b. Essential for the planned long-term use and development of the adjoining property;
  - c. Consistent with sound community planning concepts; or
  - d. As required by the Virginia Department of Transportation.

9.2. *Reserved.*

9.3. *Minimum width.* Right-of-way widths must be the greater of fifty (50) feet, the ultimate right-of-way, or other requirements of this Code.

9.4. *Alleys.* Alleys may be utilized only if approved through tentative plat approval. Alleys cannot be designed to serve as general circulation roads. If permitted, alleys must:

1. Meet the greater of the pavement design requirements of the zoning ordinance or the Goochland Fire Prevention Code.
2. At intersections with public roads, be constructed to VDOT standards.
3. Be privately maintained and have signage labeling the alley as

- "Privately Maintained Pavement" or similar language as required on the approved plan of development.
4. Have a surety provided, in accordance with section 3 of this article, for their maintenance and improvement.
  5. Be shown on the record plat as open space, in an easement controlled and maintained by the homeowners' association.
- 9.5. *Grading and paving.* Grading and paving must be in accordance with the more stringent requirements of either the Virginia Department of Transportation or the zoning ordinance.
- 9.6. *Reserved.*
- 9.7. *Reserved.*
- 9.8. *Reserved.*
- 9.9. *Reserved.*
- 9.10. *Grades.* The grades of streets must be in accordance with specifications established by the Virginia Department of Transportation, and are subject to the approval of VDOT prior to final action by the plats officer.
- 9.11. *Proposed intersections with existing highway system.* The proposed location at which a subdivision street connects with an existing highway must be staked by the subdivider prior to the review of the tentative plat by the plats officer and the Virginia Department of Transportation.
- 9.12. *Curbs, gutters, and sidewalks.* Curbs, gutters and sidewalks may be installed by the subdivider, in which event they must be constructed in accordance with the design standards and specifications for roads, drainage, and water and sewer construction improvements in the county. Curbs and gutters are required to be installed on both sides of each local road in a subdivision where the average lot has less than one hundred (100) feet of road frontage. Sidewalks are required to be installed as required by the zoning ordinance or conditions of zoning.
- 9.13. *Required access points.* All single family residential developments should provide road networks that adequately provide for continuity and interconnectivity of roads; routing options that distribute the traffic; access at all times; and proper extension to subsequent phases and development of adjacent property, by adhering to the following:
1. *Multiple accesses.* Developments containing more than forty-nine (49) lots must provide a minimum of two (2) separate, permanent access points for entrance and exit onto existing public roads that are deemed suitable in regard to right-of-way width, pavement condition, ability to handle additional traffic, and other safety criteria. Additional access points may be required as the number of lots increases.
  2. *High traffic volume roads and large residential subdivisions.* For residential subdivisions of more than 200 dwelling units, or where the road connection to undeveloped parcels or to an existing road connection is projected to generate cumulative traffic volumes exceeding 2,000 vehicles per day on any subdivision road or any segment thereof, the first road in the subdivision must be designed and constructed as either a major thoroughfare plan road, arterial, or a residential collector, and direct access from lots is not permitted. This road must serve as access to an arterial, collector, or other suitable road having two road connections. Unless otherwise approved at time of tentative plat review, this road must traverse the area of the tentative plat.
  3. *No chokepoints.* Unless built generally in compliance with a conceptual

plan approved before July 3, 2018, all single family residential developments must be designed so that no individual road segment is the sole access to more than forty-nine (49) lots.

- 4. *Emergency access Only.* Fire apparatus access roads built for emergency access only must meet all requirements in the Goochland Fire Prevention Code and cannot be used to satisfy the requirements of this section.
- 5. *Construction timing.* Access construction must comport with the zoning ordinance requirements in Article 21 and any phasing plan as approved at the time of tentative plat review.

(Ord. of 11-20-91; Ord. of 2-7-00; Ord. No. 2823, § 2, 7-3-18; Ord. No. 3396, § 1, 11-6-19); Ord. No. 5970, § 10, 7-2-24)

**ARTICLE 8. PROCEDURES FOR PLAT SUBMISSION AND APPROVAL FOR ALL MAJOR SUBDIVISIONS\***

**Section 1. Plat submissions, generally.**

1. *Application.* All tentative or final plats for any proposed subdivision shall be submitted to the plats officer for approval. A plat shall not be deemed submitted unless accompanied by a completed application and any required fees or costs.

2. *Required submissions.* The subdivider shall provide the plats officer with the following information:

- a. Existing physical features such as natural drainageways, swamps, and wooded areas.
- b. Existing easements and covenants affecting the property.
- c. Surrounding land uses, streets and existing buildings.

\***Editor's note**—Ord. No. 2852, § 1, adopted Aug. 7, 2018, changed the title of Art. 8 from "Procedures for plat preparation and approval for all major subdivisions" to read as herein set out.

- d. Sketch plans and a written description regarding future land uses, street and lot arrangement, number of lots, and tentative lot sizes; preliminary proposals regarding water supply; sewage disposal, surface drainage, street improvements and land to be dedicated for public streets and other public uses.
- e. Evidence of consultation with, and tentative approval of, public utility companies concerned.
- f. A map drawn from the Goochland County Soil Survey showing the location of various soil types underlying the property, color-coded as to their limitations on septic tank absorption fields, to a scale not smaller than one (1) inch to one thousand three hundred twenty (1,320) feet.
- g. Any known grave, object or structure marking a place of burial located on the land proposed for subdivision; as represented on current or past plats, obtained through a one-hundred-year plat search.

(Ord. of 11-6-02(4))

**Editor's note**—Ord. No. 2852, § 1, adopted Aug. 7, 2018, changed the title of Art. 8, § 1, from "Preliminary phase" to read as herein set out.

**Section 2. Tentative plat.**

1. *Required filing of the tentative plat.* The submission of a tentative plat is required for plats involving more than fifty (50) lots. Submission of a tentative plat is optional for plats involving fifty (50) or fewer lots.

2. *Filing of the tentative plat.* The subdivider, if required, shall prepare a tentative plat of the proposed subdivision in accordance with the requirements of this section. The tentative plat shall be filed with the plats officer at least twenty (20) days prior to the meeting of the planning commission at which action is desired. The submission shall include the following:

- a. *Application for approval.* Written application by the owner or his agent for subdivision plat approval, on forms furnished by the planning commission.

- b. *The plat.* Twelve (12) copies and one (1) reproducible copy of the tentative plat shall be submitted to the planning commission through the plats officer. These may be blue line or black line prints at a scale of not more than one hundred (100) feet to the inch. The tentative plat shall be prepared by a qualified professional, trained and experienced in the layout of subdivision. Engineering drawings shall be stamped with the seal of an engineer or surveyor (3b) certified in the State of Virginia. Said plat shall be drawn on sheets twenty-four (24) by thirty-six (36)



inches (preferred) or thirty (30) by forty-two (42) inches (maximum). The plat shall contain the following information:

- i. *Survey data.* Date, scale, true north point and number of sheets. If shown on more than one (1) sheet, matched lines shall clearly indicate where the several sheets join. Each sheet shall be consecutively numbered (e.g., 1 of 5, etc.). A boundary survey with a field error of closure within the limit of one (1) in ten thousand (10,000) and bearings relating to either true north or magnetic north. The location of all monuments and their type of material should also be shown. The survey may be related to the U.S. Geological Survey state grid north if the coordinates of two (2) adjacent corners of the subdivision are shown. Dimensions shall be expressed in feet and decimals of a foot. If a subdivision borders a lake, the name shall be noted and bearings of the ordinary high-water mark of such lake must be established. If an active watercourse, including a periodic stream, lies adjacent to or transverses the property, its name shall be noted and it shall be necessary for the registered engineer to submit cross-sections, drainage, easements, building setback lines and supporting calculations based upon 100-year flood, as shown by federal flood insurance program. All elevations shall be referred to the County of Goochland datum plane. Existing and proposed grades entailing contours at vertical intervals of not more than two (2) feet. In cases where the land has less than three (3) percent slope, spot elevation shall be required.
- ii. *Persons responsible.* The name and address of owner(s), the subdivider, and the surveyor responsible for surveys.
- iii. *Name and location.* A vicinity or location map to the scale of not less than two thousand (2,000) feet to the inch and shall show the subdivision name and location. It shall also show the relationship of the proposed subdivision to the existing community facilities which serve or influence it, including main traffic arteries, elementary school(s), parks and playgrounds. The proposed subdivision name (must be same as that specified in the application). Location of the subdivision by magisterial district, assessor's parcel number(s), county and state. When the subdivision consists of land acquired from more than one (1) source of title, the outlines of the various tracts shall be identified and the name of the owners of the respective tracts shall be placed on the plat. Location and names of abutting subdivisions and owners of adjoining parcels of unsubdivided land.
- iv. *Lots and blocks.* The boundary lines of all existing and proposed blocks and lots located within the subdivision, except that when the lines in any tier of lots are parallel, it shall be sufficient to make bearing of the outer lines on one (1) tier thereof. Easements shall be shown by centerline and width when lines are parallel to a boundary, otherwise boundary bearings and distances shall be shown. Where the exterior boundary lines show bearings or lengths which vary from those recorded in abutting plats or certified surveys, there shall be the following note placed along such lines: "Recorded as (show recorded bearing or length or both)." Dimensions shall be shown along all boundaries of all lots under one (1) acre in size. All lots over one (1) acre in size shall also have the acreage marked within the lot. All lots in each block

shall be consecutively numbered. All blocks shall be consecutively lettered in alphabetical order. The blocks in numbered additions to subdivision bearing the same name shall be lettered consecutively through the several additions. A graphic presentation showing the minimum building setback lines on all lots and parcels and a notation of the distance between such lines and the street right-of-way.

- v. *Adjacent streets and utilities.* The names of adjoining streets, state highways and subdivisions shown in their proper location. Abutting street lines of adjoining subdivisions, shown in their correct locations. Location, width, and names of all existing, proposed and platted railroad and utility rights-of-way, parks, cemeteries, permanent buildings and bridges located within three hundred (300) feet of the subdivision, and other pertinent data as determined by the planning commission. Existing sewers, water mains, culverts, and other underground structures within the tract or immediately adjacent thereto. The location and size of the nearest public or semipublicly owned water main and sanitary and storm sewers are to be indicated in a general way upon the tentative plat.
- vi. *Dedicated areas.* Location and area of all property proposed to be dedicated or reserved for public use or to be reserved by deed covenant for use of all property owners in the subdivision with the conditions, if any, of such dedication or reservation.
- vii. *Approved space.* A blank oblong space three (3) feet by six (6) feet shall be reserved for the use of the approving authorities.
- viii. *Zoning.* Zoning on and within three hundred (300) feet of the subdivision.
- ix. *Engineering plans.* These plans will be prepared by a certified engineer or surveyor (3b) after conditional approval is given by the planning commission of the tentative plat. They shall be reviewed by the plats officer and the VDT [Virginia Department of Transportation] Resident Engineer, and may be reviewed by other interested parties. The engineering plans shall include, as a minimum, the complete design of roadways, drainage structures and support calculations, and a plan to control soil erosion and sedimentation. One (1) reproducible copy and six (6) blue or black line prints of engineering plans indicating layout, profile, centerlines, width, grades and proposed names of all new streets and rights-of-way including alleys and highways. Radii of all curves, length of tangents, and central angles on all streets. One (1) reproducible copy and six (6) blue or black line prints of engineering plans of proposed utility layouts, profiles, pipe sizes (water, sewers, storm drains), and ditch sections, including connections to any existing or proposed utility systems and easements. (Refer to Article 9, Section 2 of this ordinance.)

3. *Action by the plats officer.* The plats officer shall transmit copies of the tentative plat, or appropriate portions thereof, to the county administrator, resident engineer, appropriate utility companies, the state air pollution control board, soil conservation agent, and other pertinent county and state officials and agencies as deemed necessary by the planning commission for recommendations. These recommendations in respect thereto shall be submitted to the planning commission not later than five (5) days before the meeting at which the tentative plat will be reviewed.

4. *Submission to planning commission.* Every proposed subdivision shall be submitted to the planning commission for tentative or conditional approval in the form of tentative plat prior to the submission of final record plat. Its purpose is to show graphically all facts needed to enable the planning commission and other public bodies to determine whether the proposed layout of the land in question is satisfactory from the standpoint of the public interest. The tentative plat shall be prepared by a qualified professional, trained and experienced in the layout of subdivisions.

5. *Action by the planning commission.*

- a. Upon receipt of all necessary data, recommendations and applications, a tentative plat shall be reviewed by the planning commission to determine its conformity to this ordinance, the comprehensive plan, and all other ordinances and regulations in force which affect subdivisions.
- b. The Planning Commission shall, within sixty (60) days of receipt of a completed application for the approval of a tentative plat from the plats officer, approve or disapprove the plat, or approve it with modifications, noting thereon any changes that will be required. If agreed to by the subdivider, the time may be extended for no more than thirty (30) days after which one (1) copy shall be returned to the subdivider with the date of the approval or disapproval, and the reason therefor in letter form, accompanying the plat.
- c. Any right to appeal a decision of the planning commission regarding a tentative plat is determined by state law.
- d. Upon approval or conditional approval of a tentative subdivision plat, the planning commission through the plats officer shall transmit one (1) copy of the plat and accompanying data along with a completed application to the air pollution control board.
- e. Conditional approval of a tentative plat shall not constitute approval of the final plat. It shall be deemed as an expression of approval of the layout submitted on

the tentative plat as a guide to the preparation of the final plat. The final plat will be submitted for recording when compliance with requirements of Article 8, Section 3 of this ordinance has been met.

- f. The subdivider shall have not more than twenty-four (24) months after receiving official notification concerning the tentative plat to file with the agent a final subdivision plat in accordance with this ordinance. Failure to do so shall make tentative approval null and void. The planning commission may, on written request by the subdivider, grant an extension of this time limit not to exceed an additional six-month period. The application may submit on or before the expiration date the tentatively approved plat in whole or in parts.

(Ord. of 5-7-13, § 2; Ord. No. 1252, § 1, 10-7-14; Ord. No. 2852, § 1, 8-7-18)

### **Section 3. Final plat.**

A subdivider shall prepare and submit a final record plat to the plats officer for approval. If a tentative plat is required, then it must have been approved prior to the submission of a final record plat. During the final plat stage, the following actions shall be taken:

1. **Filing of final plat.** A subdivider with an approved tentative plat shall file the final plat with the plats officer within twenty-four (24) months of the date of approval of the tentative plat, unless such period is extended by the planning commission for good cause shown. The final plat shall conform to these requirements:
  - a. *Final plat may constitute all or a portion of the approved tentative plat.* A final plat may constitute only a portion of the area contained in the approved tentative plat when the improvements constructed in the area covered by the plat are sufficient by and of themselves to accomplish a proper development

and to provide adequately for the health, safety and convenience of the proposed residents therein and for adequate access to contiguous areas.

- b. *The plat.* The subdivider shall submit to the planning department twelve (12) prints and one (1) fading black ink, at a scale of not more than one hundred (100) feet to the inch for subdivisions containing lots any of which are less than five (5) acres or two hundred (200) feet to the inch for subdivision containing lots which are more than five (5) acres. Sheets shall be sixteen (16) by twenty-four (24) inches, including a margin of one-half inch outside ruled border lines to top, bottom and right sides, and one and one-half (1½) inch for binding on the left sixteen-inch end. Each sheet shall bear the name of the subdivision. Each plat shall show correctly on its face sufficient engineering data [data] to reproduce any line on the ground, as well as the following:
  - i. Name, date of approval, and file number of the tentative plat upon which the final plat is based.
  - ii. All information required by Article 8, Section 2 of this ordinance.
  - iii. All lands to be dedicated to public use except roads and streets, shall be clearly marked "Dedicated to the Public."
  - iv. The accurate location and dimensions by bearings and distances with all curve data on all lots and street lines and centerlines of streets. All dimensions shown in feet and decimals of a foot to the closest one-hundredth (0.01) of a foot, all bearings, in degrees, minutes and seconds to the nearest ten (10) seconds. The

boundary survey shall show a field error of closure within the limit of one (1) in ten thousand (10,000) and bearings relating to either true or magnetic north. The data of all curves along the street frontage shall be shown in detail at the curve or in a curve data table containing the following: Delta, radius, arc length, tangent length, chord length, and chord bearings.

- v. One (1) reproducible copy and six (6) blue or black line prints of final engineering plans for streets and utilities.
  - vi. A statement to the effect that the subdivision as it appears in this plat is with the free consent and in accordance with the desires of the owners, proprietors and trustees, if any, which shall be signed by the owners, proprietors and trustees, if any, and shall be duly acknowledged of deeds.
  - vii. Certificates signed by the engineer or surveyor 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.
  - viii. In subdivisions that will contain individual septic tanks and/or individual wells, soil testing will be required for all lots by a qualified professional trained and experienced in soil examination. Such soil tests will be required to be submitted to the planning commission for review simultaneously with the review of the final plat.
2. *Action by the planning department.* Upon receipt of the final plat, the planning department shall examine the plat to

determine compliance with the tentative plat, conditions attached thereto, and the requirements established in this ordinance, and shall within thirty (30) days of its submission, either approve or disapprove said final plat and/or plans.

After the planning department approves the final plat, such approval and the date thereof shall be noted on the plat over the signature of the plats officer.

- 3. *Appeal of decision on final plat.* Any right to appeal a decision of the planning department on a final plat is determined by state law.
- 4. *Action by the subdivider.* Upon receipt of the final plat approval, the subdivider's failure to record such plat in the clerk's office of the Circuit Court of Goochland within sixty days (60) shall void the planning department's action and necessitate reinstatement of the final plat procedure in accordance with the provisions of Article 8, Section 3.1.
- 5. *Recording of final plat.* To entitle a final plat to be entered in the proper record books in the Office of the Clerk of Circuit Court of Goochland County, the following certificates, together with the certificate of approval of the plats officer, shall accompany it. These certificates shall be lettered or printed legibly on the face of the final plat.

After the final plat shall have been approved by the plats officer, the clerk of circuit court shall sign the plat and cause a certified copy of the resolution approving such plat to be attached to the plat and returned to the subdivider. Copies of the resolution and plat shall also be transmitted by the clerk of circuit court to the county administrator and plats officer for their files.

- a. *Certificates.* The following certificates and affidavit shall appear on the

final plat. They must be duly signed by the appropriate person before the plat is entitled to record.

- i. Certification by surveyor or engineer:  
"To the best of my knowledge and belief, all of the requirements as set forth in the ordinance for approving plats of subdivision for recordation in Goochland County, Virginia have been complied with. All lot corners have been marked with iron pins set as shown on plat or will be set by (date), 19\_\_\_\_."

\_\_\_\_\_  
Virginia Certificate No. \_\_\_\_\_

- ii. Certification of dedication by the owner of the land:  
"The subdivision of land shown herein designated as (name) is with the free consent and in accordance with the desires of the undersigned owner; there is (is not) a mortgage on the property. The dedication of the street and easements is of the width and extent shown on this plat. All state and county taxes or other assessments now due on this land have been paid.  
All easements are for surface and underground drainage and underground and overhead utilities.  
Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_."

\_\_\_\_\_  
Owner

- iii. Certification by notary public:  
"Commonwealth of Virginia:  
I, \_\_\_\_\_, a Notary Public, in and for \_\_\_\_\_ Com-

monwealth of Virginia, do hereby certify that \_\_\_\_\_ and \_\_\_\_\_ whose names are signed to the Subdivision Certificate, have appeared before me in my \_\_\_\_\_ and Commonwealth aforesaid. Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_."

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires

- iv. Certification by the plats officer:  
"Approved by the Goochland County Plats Officer."

- |  |               |                        |  |
|--|---------------|------------------------|--|
|  | _____<br>Date | _____<br>Plats Officer |  |
|--|---------------|------------------------|--|
- v. Certification by circuit court clerk:  
"In the Office of the Clerk of the Circuit Court of the County of Goochland, Virginia, 19\_\_\_\_. Admitted to record at \_\_\_\_\_ o'clock, \_\_\_\_\_m."  
\_\_\_\_\_  
Circuit Court Clerk

- vi. Certification of source of title:  
"The property contained within the confines of this subdivision was conveyed to \_\_\_\_\_ and \_\_\_\_\_ from \_\_\_\_\_ and \_\_\_\_\_ by deed dated \_\_\_\_\_, 19\_\_\_\_, and recorded \_\_\_\_\_, 19\_\_\_\_, in the Clerk's Office of the Circuit Court of Goochland County in Deed Book \_\_\_\_\_ Page \_\_\_\_\_."

(Ord. of 11-20-91; Ord. of 2-5-02(2), § 15; Ord. of 5-7-13, § 2; Ord. No. 2852, § 1, 8-7-18)

**Section 4. Monuments.**

4.1. *Visible for inspection.* Upon completion of subdivision streets, sewers and other improvements, the subdivider shall make certain that all monuments required by this ordinance are clearly visible for inspection and use. Such monuments shall be inspected and approved by the highway engineer or agent before any improvements are accepted by the governing body.

4.2. *Location, iron or steel rods.* All other lot and block corners shall be marked with solid steel or iron rods not less than five-eighths inch in diameter and thirty (30) inches long and driven so as to be flush with the finished grade. When rock is encountered, drill a hole four (4) inches deep in the rock and cement a steel rod one-half inch in diameter whose top shall be flush with the finished grade line. The replacement of any monuments removed or destroyed during the development of the subdivision shall be the responsibility of the subdivider.

**ARTICLE 9. VARIATIONS, EXCEPTIONS AND AMENDMENTS**

**Section 1. General requirements.**

Where the planning commission finds that extraordinary hardships or particular difficulties may result from strict compliance with these regulations, they may approve variations or exceptions to the regulations, provided that such variations or exceptions shall not have the effect of nullifying the intent and purpose of this ordinance; and further provided the commission shall not approve variations or exceptions to the regulations of this ordinance unless it shall make findings based upon the evidence presented to it in each specific case that:

1. The granting of the variation will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located.
2. The conditions upon which the request for a variation is based are unique to the

property for which the variation is sought, and are not applicable, generally, to other property.

- 3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
- 4. Cost to the subdivider of strict or literal compliance with the regulations shall not be the sole reason for granting a variation or exception.
- 5. In recommending variations and exceptions, the commission may require such conditions as will, in their judgment, secure substantially the objectives of the standards or requirements of the Goochland County Subdivision Ordinance.
- 6. A petition for any such variation shall be submitted in writing by the subdivider at the time when the tentative plat is filed for the consideration of the commission. The petition shall state fully the grounds for the variation and all of the facts taken into consideration by the petitioner.

Such variations and exceptions as may be approved by the planning commission shall be in writing. Approval shall substantiate why the variations and/or exceptions were approved and reasons why approval will not adversely affect the intent and purpose of this ordinance.

**Section 2. Amendments.**

For the purpose of promoting the public health, safety and general welfare, the board of supervisors may from time to time amend the regulations imposed by this ordinance. Public hearings on all proposed amendments shall be held by both the planning commission and the Board of Supervisors in the manner prescribed by law.

**Section 3. Repeal.**

Upon the adoption of this ordinance, all subdivision ordinances heretofore adopted by the board of supervisors of Goochland County are hereby repealed.

ADOPTED: April 18, 1979  
(Date)

EFFECTIVE: April 19, 1979  
(Date)

REVISED: April 7, 1987  
(Date)

EFFECTIVE: April 7, 1987 (9:20 p.m.)  
(Date)

REVISED: December 13, 1988  
(Date)

EFFECTIVE: December 13, 1988  
(Date)

**ARTICLE 10. RESERVED\***

**\*Editor's note**—Ord. No. 5618, § 1, adopted February 7, 2023, repealed article 10, §§ 1—3, which pertained to access management and derived from an ordinance of November 6, 2002(3).