



COUNTY OF ACCOMACK

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Building & Code Enforcement
Planning & Zoning
Geographic Information & Mapping

Floodplain Management
Economic Development
Wallops Research Park

Accomack County Subdivision Process

The Accomack County Subdivision Ordinance, Chapter 78 of the Accomack County Code (ACC), was adopted “in order to guide and facilitate the orderly beneficial growth of the community and to promote the public health, safety, convenience, comfort, prosperity and general welfare.”

The following checklists outlines the requirements for Conceptual Preliminary Plats. Detailed Preliminary Plats and Final Subdivision Plats.

Consult the Subdivision Ordinance (Chapter 78), Zoning Ordinance (Chapter 106), Stormwater Management Ordinance (Chapter 38, Sections 86-100) and the Erosion and Sediment Control Ordinance (Chapter 38, Sections 66-73) for complete requirements and additional information. These ordinance can be found online at https://library.municode.com/va/accomack_county/codes/code_of_ordinances.

The Code of Virginia, Title 15.2, Chapter 22 (Planning, Subdivision of Land and Zoning) is available online at <https://law.lis.virginia.gov/vacode/title15.2/chapter22/>.

Additional Department of Building, Planning & Economic Development information may be found on the Accomack County Website at www.co.accomack.va.us. In addition, the County has created a separate department called the Department of Environmental Programs that manages, reviews and enforces the following: Erosion & Sediment Control Ordinance (Chapter 38, Sections 66-73), the Stormwater Management Ordinance (Chapter 38, Sections 86-100), and the Chesapeake Bay/Atlantic Preservation Overlay District Ordinance (Chapter 106, Sections 376 -389). Their information is also found on the county website at www.co.accomack.va.us.

Note: These checklists are for guidance only; please refer to Section 78 in its entirety to ensure all requirements are met.

Conceptual Preliminary Plats

Prior to submission of a Detailed Preliminary Plat for a subdivision of 10 or more lots, a subdivider shall submit a conceptual preliminary plat to the Agent and shall meet with the Agent to review said conceptual preliminary plat. The subdivider shall submit to the Agent six (6) paper copies of a conceptual preliminary plat, and a digital copy in PDF or other format acceptable to the Agent, of the proposed subdivision. The purpose of such conceptual preliminary plat, and meeting, is to permit the Agent to advise the subdivider whether his plans in general are in accordance with the requirements of this chapter. The Agent, upon submission of any conceptual preliminary plat, shall study it, and advise the subdivider wherein it appears that changes would be necessary. The Agent may mark the conceptual preliminary plat indicating necessary changes. The subdivider shall return any such marked plat to the Agent with the detailed preliminary plat.

Checklist for Conceptual Preliminary Plats, As per Accomack County Code (ACC) § 78-9 (b)(1):

1. Be Drawn on a Print of Topographic Map of the Property Showing Environmental Information shown on the Existing Resources/Site Analysis Map as Required in ACC §78-9 (b) (1) e;
2. Be Drawn on a Scale of not More Than 100 feet to the inch;
3. Show the Name, Location and Approximate Area of All Proposed Streets, Lots, Parks, Playgrounds and Other Proposed Used of the Land to be Subdivided;
4. Include the Approximate Dimensions of Existing and Proposed Features;
5. Be Accompanied by an Existing Resources/Site Analysis Map showing Major Environmental Features (ACC § 78-9 (b) (1) e;
 - i) Woodlands
 - ii) Flood zones
 - iii) Hedgerows
 - iv) Fences
 - v) Vernal pools
 - vi) Perennial streams
 - vii) Wetlands
 - viii) Soil types
 - ix) Historic and cultural features (including cemeteries and military earthworks)
 - x) Power lines
 - xi) Underground pipes
 - xii) Geologic features
 - xiii) Areas that are visible from any public right-of-way
6. Show All Areas Proposed to be Disturbed, and the Method(s) used to prevent significant damage or disturbance to the Major Environmental Features Identified in ACC § 78-9 (b) (1) e;
7. Show the Proposed Location of Building Sites, and Septic Drainfield Sites and Wells (if applicable) on each lot.

Detailed Preliminary Subdivision Plats

Request for approval of a proposed subdivision shall be made to the Agent by the subdivider or by his agent in writing, on an application form provided by the County, and no lot shall be sold until a final plat for the subdivision shall have been approved by the County and recorded in the manner provided in this section. The subdivider shall submit to the Agent fifteen (15) paper copies of the detailed preliminary plat and other supplemental materials, and a digital copy in PDF or other format acceptable to the Agent. The Agent shall have 10 business days in which to determine and inform the subdivider in writing whether an application is complete. The timeline for review of a subdivision application will commence on the day it is deemed by the Agent to be a complete application. **To be deemed a complete application, all of the information shown in ACC § 78-9 (a), (b) and (c) shall be provided, including payment in full of any submission fees that may be required by the County.**

Checklist for Detailed Preliminary Subdivision Plats, per Accomack County Code (ACC) § 78-9 (c):

- 1.) Conceptual Preliminary Plat and Pre-Application Meeting, if applicable (10 or more lots)
- 2.) Subdivision **Application Form** and Fee Payment
- 3.) 15 Copies of Preliminary Subdivision Plat, including:
 - a) Name of Subdivision, Owner, and/or Subdivider
 - b) Name of Surveyor or Engineer
 - c) Number of Sheets
 - d) North Point and Graphic Scale (not more than 100 feet to the inch)
 - e) Location Insert Map at a scale of not less than two inches equal one mile showing adjoining roads, their names and numbers, towns, subdivisions and other landmarks
 - f) All information required by ACC § 78-9 (b), Conceptual Preliminary Plat, including an Existing Resources/Site Analysis Map showing Major Environmental Features
- 4.) Metes and Bounds Description or Existing Survey of Records showing:
 - a) Total Acreage of the Original Tract
 - b) Acreage of Subdivided Area
 - c) Number and Approximate Area of Lots
 - d) Frontage of all Building Sites – Show minimum 100-foot lot width at setback line for all lots with curved frontage
 - e) Show correct Corner Lot setbacks Show rear setback of 35’ on all lots– *Please note*Corner Lots - short side is front w/50’setback; longer is side w/ 35’min setback; rear yard requires 35’ setback**
 - f) Existing Buildings within the boundaries of the tract
 - g) Names of Owners and their Property Lines within the boundaries of the tract and adjoining such boundaries
 - h) Proposed Future Subdivision of Remaining Acreage, if Applicable
 - i) Shape of Lots – Flag Lots are not permitted unless such lot is 3 acres or larger(ACC §78-8 (c) (1))
- 5.) All Existing and Proposed Streets, showing:
 - a) Width of rights-of-way
 - b) Road-widening dedication, if applicable, to include VDOT and Bicycle Trail
 - c) Street Names – Names of proposed streets not to duplicate existing street names in the county
 - d) Existing Utility or other Easements

- e) Proposed Utility Easement(s) of not less than 12 feet
- f) Public Areas
- g) Parking Areas

6.) Means of Stormwater Management:

- a) Show all drainage ditches and facilities
- b) Provide statement of impervious coverage

7.) Means of Sewage Disposal and Water Supply:

- a) Proposed Connections to Existing Sanitary Sewers and/or Existing Water Supply; or
- b) Location of Proposed Drainfields and Wells, with proper separation distance
- c) Location of Fire Hydrants with central water supply, or Dry Hydrants with stormwater retention pond(s) and indication of Water Supply/Easements to hydrants

8.) All Parcels Dedicated for Public Use and the condition of such dedication

9.) Agricultural Use Disclaimer, if applicable – see ACC §78-9 (c) (8)

10.) Flood Zone Boundaries, if applicable. If not, then a statement to that effect shall be on the plat.
See ACC§78-9 (c) (9)

11.) Wetlands Delineation and U.S. Army Corps Verification, if applicable

12.) If creating 50 or more lots, a traffic impact study is required. See ACC §78-9 (c) (11).

13.) Statement summarizing proposed restrictive covenants and reservations. See ACC §78-9 (c) (12).

Additional Requirements

In addition to the Subdivision Ordinance requirements, subdivision applications must follow the requirements of the Zoning Ordinance, the Erosion and Sediment Control Ordinance, the Stormwater Management Ordinance and other state and federal regulations. These include but are not limited to permitted uses, lot sizes, setbacks, and overlay districts. Subdivision applicants should pay particular attention to the following Accomack County Code sections:

Section 106-51 to 106-61: Agricultural Zoning District

On June 29, 2006 the Agricultural Zoning District Section 106-55, Area Regulations, was amended to require a minimum lot area of five acres, unless the cluster option is used, as set forth in Section 106-55 (b). The cluster option allows lots of 30,000 square feet at an overall base site density of one lot per five acres. Please note that, under Section 106-55 (c), tidal wetlands and non-tidal wetlands shall not be counted toward the calculation of minimum lot area for the purpose of meeting the minimum lot area and density requirements in the Agricultural Zoning District. In order to calculate the buildable area, a wetlands delineation verified by the U.S. Army Corps of Engineers must be submitted with the Detailed Preliminary Plat. The Preliminary Plat shall include a statement that the Wetlands Delineations are consistent with the U.S. Army Corps of Engineers.

Section 106-376 to 106-389: Chesapeake/Atlantic Preservation Area Overlay District

The Chesapeake/Atlantic Preservation Area Overlay District (Bay Act) applies to all areas designated as Chesapeake/Atlantic Preservation Area Overlay (CAPA) on the Accomack County Zoning Map. The CAPA includes Resource Protection Areas (RPA) and Resource Management Areas (RMA).

The CAPA requirements related to subdivision approval are mostly found in Section 106-385, *Development Plan Review and Approval*. Section 106-377, *Definitions*, states, “Plan of Development means the process for site plan or subdivision plat review to ensure compliance with Code of Virginia Section 10.1-2109 and this article (106-376 to 106-389), prior to any clearing or grading of a site or the issuance of a building permit.” Section 106-385 (2) *Required Information – Major Development*, outlines the Plan of Development process and plan requirements for land disturbance of 10,000 square feet or greater in the CBPA, which include a subdivision plat and an environmental site assessment. Depending on individual circumstances, a landscape plan, stormwater management plan, erosion and sediment control plan, and a water quality impact analysis may also be required during subdivision plat review.

CBPA Environmental Site Assessment Requirements

The CAPA Plan of Development Process requires a Subdivision Plat and an Environmental Site Assessment for Major Developments resulting in land disturbance greater than 10,000 square feet. The Environmental Site Assessment shall be submitted in conjunction with Preliminary Subdivision Plan approval and include the following environmental features:

- 1.) Tidal Wetlands
- 2.) Tidal Shores
- 3.) Nontidal Wetlands
- 4.) Wetlands Delineations consistent with the U.S. Army Corps of Engineers
- 5.) A 100-foot Buffer Area
- 6.) The site specific extent of the RPA

Resource Quality Protection Plan Requirements ACC §106-235

The Resource Quality Protection Plan is required “For any commercial or industrial development which creates five acres or more of impervious surface, or any subdivision which creates 50 or more lots.” The Resource Quality Protection Plan must be submitted and approved before “A plat is recorded, land is subdivided, or a building permit issued; or Grading, clearing, or any type of vegetation removal activities are commenced; or Development is commenced.” The Resource Quality Protection Plan requirements apply county-wide, and includes performance criteria and design standards.

Final Subdivision Plats

The subdivider shall have not more than 12 months, after receiving official notification of approval concerning the detailed preliminary plat, to file with the agent a final subdivision plat in accordance with ACC §78-9 (g).

Checklist for Final Subdivision Plats, per Accomack County Code (ACC) § 78-9 (g)

- 1) 4 copies of the final subdivision plat
- 2) Submitted on sheets having a size of 17 ½ x 22 inches and shall be a clear, legible and reproducible print of a boundary survey of the area to be subdivided.
- 3) Shall be accompanied by approved, engineered plans and specifications for all improvements requiring performance security.
- 4) Plans for public streets and drainage facilities shall have been approved by the Virginia Department of Transportation
- 5) Plans for water and sewerage facilities shall have been approved by the Virginia Department of Health
- 6) Plans for on-site sewerage disposal systems shall include a note stating that such systems shall be pumped out at least once every five years.
- 7) A digital copy of the final plat shall also be submitted to the agent in a format acceptable to the agent, such as PDF.
- 8) The final plat shall include all requirements of the detailed preliminary plat in detail form as well as the following items:
 - a) Blank oblong space to be reserved for the use of the approving authority
 - b) Certificates signed by the surveyor or engineer preparing the final plat 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.
 - c) Each plat shall contain a statement to the effect that “the above and foregoing subdivision of (insert correct description of the land subdivided) as appears in this plat is with the free consent and in accordance with the desire of the undersigned owners, proprietors and trustees, if any.” This statement shall be signed by such persons and duly acknowledged before an officer authorized to take acknowledgement of deed.
 - d) Identification of the respective tracts from which a subdivision was assembled, if the subdivision consists of land acquired from more than one source of title.