

Article 3:
SUBDIVISION IMPROVEMENTS REQUIRED

Article 3:**SUBDIVISION IMPROVEMENTS REQUIRED****A. General**

1. The Town shall require that the subdivider be responsible for making the improvements required for Final Subdivision Plat approval. Said improvements shall be installed at the cost of the subdivider and in compliance with the requirements of any or all approved plans and plats.
2. No subdivider shall commence the construction of any such improvements without first submitting plans and specifications, providing the appropriate bonds, and obtaining the written approval and appropriate permits from the Town, Isle of Wight County, Virginia Department of Transportation (VDOT), and any other applicable federal, state or local agency.
3. Public easements for drainage, water and sewer services shall be subject to approval by the Designated Agent, provided that easements for minor subdivisions of land maybe approved by the Zoning Administrator.
4. Any subdivider commencing any construction in violation of this Ordinance shall be guilty of a Class 1 (one) misdemeanor.
5. Any person who should knowingly continue construction after the issuance of a STOP WORK order by the Town Manager, Zoning Administrator and/or other designated representative of the Town shall be subject to a penalty for each day of said construction which should continue after issuance of the STOP WORK order.

B. Requirements for Improvements

No Final Subdivision Plat or Public Improvement Plan related thereto shall be approved until the Planning Commission is assured that the following minimum improvements will be made:

1. Construction and right-of-way dedication as required for highways, streets, vehicular travel lanes, and service drives which permit vehicular travel within the subdivision as well as to and from adjacent properties.

2. Construction of new public streets shall be in accordance with the Town Zoning Ordinance, the Town's Design and Construction Standards Manual and other applicable HRPDC and VDOT manuals, guidelines and regulations.
3. Construction and dedication for widening existing roads and streets, existing roads and streets within new alignments, and proposed new roads and streets, all as may be indicated by the adopted Smithfield Comprehensive Plan, the Town's Major Street Plan, or other adopted plan, and, otherwise, where the need for such roads and streets is substantially generated by the proposed subdivision.
4. Construction of all utilities, fire protection improvements, community facilities, landscaping, and other infrastructure necessary to serve the proposed subdivision.
5. Construction and extension of public water and sewer mains and laterals to all lots within the subdivision. Specifications, easements and dedications shall be in accordance with requirements of the Town's Design and Construction Standards Manual, other applicable HRPDC manuals, guidelines and regulations.
6. Dedication of easements or rights-of-way for all utilities and facilities within subdivisions which are intended to serve the public. Such easement or right-of-way shall be clearly defined on the plat or plan with the intended purposes clearly stated and recorded as required by the Town's Design and Construction Standards Manual.
7. Construction of improvements for an adequate storm drainage system for the disposition of storm runoff from the subdivision as well as from off-site properties which impact the subdivision, and, further, in accordance with the Town's Design and Construction Standards Manual for storm drainage, VDOT, and other applicable HRPDC manuals, guidelines and regulations.
8. Construction of comprehensive grading improvements and individual lot grading improvements at the time of implementation of the subdivision's public improvements to ensure that all lots, rights of way, and other improved areas within a subdivision are provided positive drainage and to ensure that public drainage improvements are engineered, coordinated, and aligned to provide adequate collection of runoff from developed properties.
9. Construction of stormwater management improvements to provide water quantity and water quality (Best Management Practices) controls in accordance with the Town's Design and Construction Standards Manual and related state regulations.
10. Construction of bicycle trails, pedestrian paths and/or sidewalks in accordance with the general location shown on the adopted Smithfield Comprehensive Plan, the Town's Bike

Plan, or any other adopted planning study, together with such other connecting trails, paths, or walkways within the limits of the subdivision plat.

11. Construction of pedestrian paths and sidewalks shall be required so that residents/patrons may walk on the same from lot to lot within the subdivision and to adjacent subdivisions or properties. Wherever possible, connection shall be made to existing walkways in adjacent developments or subdivisions. The subdivider shall provide all improvements necessary to bring pedestrian paths and sidewalks in the subdivision into conformity with requirements of the Town's Design and Construction Standards Manual.
12. Dedication of rights-of-way for any major transportation improvements as indicated by the adopted Smithfield Comprehensive Plan, the Town's official map, VDOT plans, and other applicable adopted plans.
13. All other improvements required by the provisions of this ordinance to include, where applicable, but not to be limited to entrances to public streets, private streets, street lighting, screening and landscaping, and any other improvement to be constructed within the public right of way.
14. Improvements, rehabilitation, and stabilization of existing streams, natural channels, waterways, and adjacent embankments and landscaping to ensure adequate control of storm runoff and preservation of environmentally sensitive areas which may be impacted by storm runoff.
15. Preservation, conservation and enhancement of designated Resource Protection Areas, subject to the Chesapeake Bay Area Preservation Act.
16. Installation of temporary and permanent erosion and sedimentation control measures in accordance with Article 11.A (Erosion and Sediment Control) of the Town's Zoning Ordinance, the State's Erosion and Sediment Control Manual, and the Town's Design and Construction Standards Manual.
17. Offsite water, sewer and drainage improvements subject to the Town's facility programs and plans and pro-rata share funding agreements subject to Section 15.2-2243 of the Code of Virginia.
18. Offsite transportation improvements subject to Section 15.2-2242(4) of the Code of Virginia.

19. In any proposed subdivision, the developer/owner of such subdivision shall cause to be installed, at no cost to the town, street lights of a type and design and at locations approved by the agent. The developer/owner shall pay to the Town Council a sum based on the current monthly charges per light established by the utility company multiplied by the number of lights multiplied by twelve (12). This amount as calculated shall equal the charge for the first year. The amount due for each subsequent year up to and including the seventh year shall be increased annually by five (5) percent. The seven (7) annual charges shall be totaled, and the amount shall be due and payable in cash or certified check to the Town Council prior to the lights being connected for service by the utility company.