

**ARTICLE 7
Required Improvements**

All required improvements shall be installed by the subdivider or developer at his cost. In cases where specifications have been established, either by the Virginia Department of Transportation (VDOT) or by state or local ordinances or codes, such specifications shall be followed. Where there is a conflict between these regulations and those established by county and state agencies, the more restrictive requirement will apply.

Once a final plat or site plan is approved, but prior to plat recordation or issuance of zoning permits, the applicant shall either install all required improvements to the satisfaction of the town or Loudoun County, as applicable, or post a performance agreement and bond acceptable to the town or county, as applicable, to guarantee installation of all improvements, in accordance with Section 7.10 of this ordinance. The subdivider or developer's bond shall not be released until construction has been inspected and approved by the administrator.

(Amended 1/21/99)

7.1 Required Street Improvements

- 7.1.1 Street improvements on any street not already accepted as a VDOT road shall be sufficient to qualify such street for acceptance into the state system or meet the private street standards of the Town of Middleburg or Loudoun County, as applicable.
(Amended 1/21/99)
- 7.1.2 Streets shall be built to the full width as prescribed by the Middleburg Street and Parking Ordinance, Virginia Department of Transportation standards, or Loudoun County standards, as applicable. (Amended 1/21/99)
- 7.1.3 When a subdivision or development abuts one side of any existing or planned public street, the subdivider or developer shall be required to dedicate the necessary right-of way and construct street improvements on the subdivider's or developer's portion of such street.
- 7.1.4 Street name signs meeting the standards of the Virginia Department of Transportation or Loudoun County, where applicable, shall be provided at all street intersections. Appropriate traffic control and regulatory signs and necessary traffic signalization shall be provided.
- 7.1.5 Streets within the Middleburg corporate limits shall be completed in accordance with plans and profiles approved by the administrator as meeting the required Virginia Department of Transportation specifications for streets, unless an exception to such specifications is approved by the Town Council as provided by this ordinance; or streets within the one mile subdivision jurisdiction area shall be completed in accordance with plans and profiles approved by Loudoun County. (Amended 1/21/99)

7.2 Required Sidewalks, Curb and Gutter

- 7.2.1 Sidewalks, curb and gutter shall be constructed in accordance with plans and profiles approved by the administrator as meeting the required Virginia Department of Transportation specifications for sidewalks, curb and gutter, unless an exception to such specifications is approved by the Town Council as provided by this ordinance.
- 7.2.3 The requirements of this subsection shall not apply to subdivisions located in the one mile extraterritorial jurisdiction area.

7.3 Water Supply Requirements

- 7.3.1 The subdivider or developer shall install a water system for the subdivision or development. Within the town limits, a complete water main system shall be connected to a water supply that is approved by the administrator based upon the recommendation of the town engineer and, as necessary, by the State and County Health Departments. Subdivisions in the one mile extraterritorial jurisdiction area shall be served by individual wells approved by the Loudoun County Health Department or other alternative systems as permitted and approved in accordance with the Loudoun County Zoning Ordinance.
(Amended 1/21/99)
- 7.3.2 Water systems shall be designed and installed in compliance with Sections B and C, Construction Standards, Water Distribution Systems – Standards and Extensions, Loudoun County Sanitation Authority, as well as any other pertinent standards. All references to the Loudoun County Sanitation Authority in that document shall be applicable to the Town of Middleburg.
- 7.3.3 Fire hydrants shall be provided by the subdivider or developer in all subdivisions and developments within the town limits. The hydrants shall be located between property lines and the curb line. The type of hydrants, control valves, and the location of the hydrant shall be approved by the administrator in accordance with the requirements established by the Loudoun County Department of Fire, Rescue and Emergency Services.
- 7.3.4 The water system and all service lines and appurtenances shall be installed in accordance with the plans and profiles prepared for the subdivision or development and approved by the administrator as meeting the required specifications for water systems. Installation shall be within easements or dedicated right-of-way as approved by the administrator, town engineer, and any other appropriate approving authorities.

7.4 Sanitary Sewer Requirements

7.4.1 Sanitary sewers shall be installed to serve all lots, including lateral connections between the trunk sewer and the property line. All new buildings on lots within the town limits shall be connected to the Town's sanitary sewer system. All new buildings on lots within the one mile extraterritorial jurisdiction area shall be served by individual septic systems approved by the Loudoun County Health Department or other alternative systems as permitted and approved in accordance with the Loudoun County Zoning Ordinance.
(Amended 1/21/99)

7.4.2 Sanitary sewers shall be designed and installed in accordance with Sections B and C, General Design Standards, Sewer System-Standards and Extensions, Loudoun County Sanitation Authority, as well as other pertinent standards. All references to the Loudoun County Sanitation Authority in that document shall be applicable to the Town of Middleburg.

7.4.3 Sanitary sewers shall be installed in accordance with the plans and profiles prepared for the subdivision or development and approved by the administrator based upon the recommendation of the town engineer as meeting the required specifications for sanitary sewer systems. Installation shall be within easements or dedicated right-of-way as approved by the administrator, town engineer, and any other appropriate approving authorities, except for service connections within property lot boundaries.

7.5 Stormwater Management and Erosion Control Requirements

7.5.1 Provision for disposal of storm, subsurface, and surface waters with on-site and off-site facilities to carry such waters to the nearest channel approved by the administrator shall be made as follows:

- A. On-site and off-site improvements shall be made so that downstream properties are not harmed by pollution, flooding, erosion, or sedimentation resulting from the subdivision or development.
- B. Culverts and bridges shall be required where overland streams intersect any street right-of-way.
- C. Existing water courses entering the subdivision or development shall be received and discharged as nearly as possible in the manner that existed prior to the subdivision or development.
- D. The design and construction of drainage facilities shall be such that all water courses traversing the subdivision or development and water originating from outside or within the subdivision or development will be carried through and off the subdivision or development without creating an adverse drainage condition to roadway or residential sites within the tract and without injury to roadways, residential sites or other lands abutting or in the vicinity of the tract.

- 7.5.2 All design and installation of storm drainage facilities shall be in accordance with the standards and specifications of the Virginia Department of Transportation.
- 7.5.3 Provision for temporary and permanent control of erosion and sedimentation during all phases of clearing, grading and construction shall be made in accordance with the latest edition of the Virginia Erosion and Sediment Control Handbook and the latest version of the Loudoun County Facilities Standards Manual.
- 7.5.4 Stormwater management and best management practices (BMPs) shall be provided in accordance with General Criteria 7 of the Virginia Erosion and Sediment Control Handbook and/or the latest version of the Loudoun County Facilities Standards Manual.
- 7.5.5 Buildings within subdivisions and developments shall not be located within floodplains except as specifically authorized in the Middleburg or Loudoun County Zoning Ordinance, as applicable. (Amended 1/21/99)
- 7.5.6 Storm drainage improvements and erosion and sedimentation controls shall be installed in accordance with the plans and profiles prepared for the subdivision or development and approved by the administrator based upon the recommendation of the town engineer.
- 7.5.7 Appropriate easements and maintenance plans for all permanent storm drainage improvements shall be provided by the applicant, in accordance with Section 6.4.
- 7.5.8 Grading permits issued by Loudoun County for subdivisions or developments under the jurisdiction of the town shall require prior approval from the administrator, based upon the recommendation of the town engineer.

7.6 Landscaping Requirements

- 7.6.1 Existing tree cover within the proposed subdivision or development shall be retained in accordance with the Middleburg or Loudoun County Zoning Ordinance, as applicable, and taken fully into account in the design of the subdivision lots, street layout and development in accordance with the Middleburg or Loudoun County Zoning Ordinance, as applicable. Plans shall indicate how existing trees are to be protected and how soil aeration, drainage and moisture are to be preserved.

- 7.6.2 Street trees and other plant material may be planted within public rights-of-way in accordance with plans approved by the administrator to meet the required specifications for landscaping in the Middleburg or Loudoun County zoning ordinance, as applicable. Required specifications for landscaping, street trees and street tree plantings shall designate the number, location, size, variety and condition of trees and other plant materials to be planted, as well as the planting methods. The specifications shall take into account the relative hardiness, shape, root-growth pattern, and undesirable features of plant materials and shall provide restrictions on plantings in locations likely to damage underground or aerial utility facilities, restrict motorists' or pedestrians' sight distances, conflict with driveways, sidewalks, bikeways or streets, or damage streets, sidewalks, storm sewers, sanitary sewers, curb and gutter and other required facilities.
- (Amended 1/21/99)

- 7.6.3 All cut and fill slopes shall be landscaped, either seeded and stabilized, or sodded with grass or plants suitable for such slopes, in accordance with the latest edition of the Virginia Erosion and Sediment Control Handbook.

7.7 Lighting Requirements

- 7.7.1 Lighting shall be provided in accordance with a plan designed by Virginia Power or using the standards set forth by the IES Lighting Handbook.
- 7.7.2 Lighting for safety shall be provided at intersections, along walkways, at entryways, between buildings and in parking areas.
- 7.7.3 The maximum height of standards shall not exceed the maximum building height permitted, or 25 feet, whichever is less.
- 7.7.4 Lighting shall be completed in accordance with the plans prepared for the subdivider or developer and approved by the town and the Virginia Department of Transportation, where applicable.

7.8 Required Monuments and Property Corners

- 7.8.1 Two (2) permanent monuments shall be placed in the ground within each subdivision.
- 7.8.2 Permanent monuments shall be composed of concrete not less than four (4) inches square or four (4) inches in diameter and at least thirty (30) inches long. The top of permanent monuments shall be set not less than one inch nor more than four (4) inches above the finish grade at their respective locations. All required monuments shall be clearly visible. Such monuments shall be inspected and approved by the administrator before any improvements are accepted by the town council.
- 7.8.3 Final plats and plans shall show the location of required permanent monuments.

- 7.8.4 Lot corner pins shall be placed at all lot corners in subdivisions and at all corners of a development. Lot corner pins shall be iron or steel pipe or bar not less than one-half (1/2) inch nor more than one inch in diameter and at least twenty-four (24) inches long. The top of all corner pins shall be set not less than one (1) inch nor more than four inches above the finished grade at their respective locations.
- 7.8.5 All points of angles and curves in street rights-of-way shall be identified as required for lot corners.

7.9 Underground Wiring Requirements

All new electric, telephone, cable television and other communication lines, both main and service connections, shall be installed underground in accordance with the prevailing standards and practices of the utility or other companies providing such services.