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**PLATES**

<b>STANDARD DESIGNATION</b>	<b>PLATE NO.</b>	<b>DESCRIPTION</b>	<b>SECTION</b>
N/A	1-2	Pipestem Lot Layouts	2-0103.1D
N/A	2-2	Revision Block	2-0211.3D, 7-0903.2

**2-0100 LOT AND SUBDIVISION DESIGN**

**2-0101 General Requirements**

2-0101.1 All waivers, BZA variances, special permits, special exceptions and/or rezoning proffers associated with proposed construction shall be incorporated on all preliminary plats and construction plans submitted to the Director for approval.

2-0101.2 When there are no waivers, BZA variances, special permits, special exceptions or rezoning proffers, the developer shall so specify on all preliminary plats and construction drawings.

2-0101.3 Whenever a subdivision name is approved and recorded, that name shall be used for all legal references and permits. No other trade or sales names for subdivisions, or portions thereof, shall be used for any process governed by this PFM unless the Director is notified in writing of the name change.

**2-0102 Lot Frontage and Layout**

2-0102.1 All lots for single family detached dwellings shall have frontage on existing VDOT maintained public streets or standard streets for which construction is to be provided in accordance with § 101-2-2(3)(C) of the Code (except where otherwise provided in § 101-2-2 of the Code or § 11-301 of the Zoning Ordinance).

2-0102.2 Condominium developments may have frontage on a private street provided that such streets are constructed to meet the minimum design standards for private and condominium streets as set forth in § 7-0502 *et seq.*

2-0102.3 Lots may be approved for R-C Cluster Subdivisions fronting on privately maintained streets located in appropriate easements, provided they are constructed to meet VDOT tertiary street standards (See Plate 6-7).

2-0102.4 Subdivided industrial and commercial building lots may be approved without public street frontage, provided, however, that the building lots have frontage on a right-of-way or access easement satisfactory to the Director, and that:

2-0102.4A A joint owners association is established prior to the approval of any plat or plans to assure the maintenance of the access easement, parking, planting and other necessary open space; and

2-0102.4B Improvements within the access easement be sufficient to accommodate the type and volume of traffic anticipated.

2-0102.5 Residential, industrial or commercial building sites or lots in a subdivision are to be designed so that the sites or lots will not have direct access to any arterial road unless deemed necessary by the Director by reason of an unusual natural, topographical, or pre-existing condition, or unless the shape or size of the tract would preclude other methods of providing access.

2-0102.6 (86-04-PFM) For lot layout in a cluster subdivision see Sections 6-0703.2 and 6-1702.3. No grading or filling is allowed in a floodplain or Resource Protection Area except as provided for in Parts 6 and 9 of Article 2 of the Zoning Ordinance and Chapter 118 of the Code.

**2-0103 Pipestem Lots.** Pipestem lots, when permitted by § 2-406 of the Zoning Ordinance, shall conform to the requirements of § 2-0000 *et seq.*

2-0103.1 Except for R-C Cluster developments subject to a special exception under Article 9 of the Zoning Ordinance, the configuration of pipestem lots shall not be permitted to create continuous double-stacking of lots on a single roadway.

2-0103.1A “Double-stacking” shall be defined as a configuration of pipestem lots parallel to a single street such that two essentially parallel rows of lots are created.

2-0103.1B Groups of more than three such double-stacked lots are not allowed unless each group is separated from the next by 100 feet of open space, 100 feet of non-pipestem lots, or 100 feet of a combination of open space and non-pipestem lots.

2-0103.1C When provided at the request of the Director, reverse frontage lots served by a pipestem driveway shall not be considered pipestem lots, provided however that the restriction against double-stacking as stated in § 2-0103.1B above shall apply.

2-0103.1D For examples of acceptable and unacceptable pipestem lot layouts, see Plate 1-2.

2-0103.2 In general, pipestem lots may not represent more than 20 percent of the total number of lots within a given subdivision, except that subject to a special exception under Article 9 of the Zoning Ordinance, there shall be no limit on the number of pipestem lots in subdivisions approved for R-C Cluster development.

2-0103.3 The area of a pipestem lot within the pipestem portion of the lot shall not be deemed to be a part of the required minimum lot area specified for the district in which the lot is located, except that this restriction shall not apply in R-C Cluster Subdivisions.

2-0103.4 For any common pipestem driveway, the total width of combined pipestems shall not exceed the width of pavement for that driveway; however, the access and maintenance easement shall be greater as set forth in Plates 10-7 & 11-7.

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2-0103.5 No structure, whether main or accessory, shall be erected nearer to the edge of pipestems than 25 feet from the lot line or edge of pavement, whichever is greater; except that this requirement does not apply to any required turnaround or turnaround easement (Plates 10-7 & 11-7).

2-0103.6 (97-07-PFM) The final plat shall note each pipestem driveway as a “driveway privately owned and privately maintained by the lot owner,” and an adequate “easement for ingress, egress, construction, maintenance of utilities and County and other emergency vehicles” shall be provided where common driveway construction is used. Each lot abutting a pipestem driveway shall be noted, “owners of abutting lots utilizing pipestem driveways automatically assume an obligation for maintenance of the pipestem driveway, which obligation is a condition of their ownership of the property and which runs with the land.” The plat and plan shall include the following note: “The pipestem driveways in this development do not meet the standards necessary for inclusion in the system of state highways and will not be maintained by the Virginia Department of Transportation or Fairfax County, and are not eligible for rural addition funds or any other funds appropriated by the General Assembly of Virginia and allocated by the Commonwealth Transportation Board.”

2-0103.7 Length of a pipestem portion of a lot.

2-0103.7A The length of the pipestem portion of a lot may not exceed a distance of:

2-0103.7A(1) 350 feet where required lot size is less than 12,000 square feet;

2-0103.7A(2) 400 feet where required lot size is between 12,000 square feet and 18,000 square feet;

2-0103.7A(3) 550 feet where required lot size is between 18,000 square feet and 40,000 square feet;

2-0103.7A(4) 750 feet where required lot size is 40,000 square feet or over.

2-0103.7B The pipestem portion of a lot may exceed the maximum length if the developer provides a justification with the submission of a preliminary plat.

2-0103.7B(1) This justification must be to the Director’s satisfaction and be based upon some existing unusual and natural topographic or other physical condition.

2-0103.7B(2) The restrictions of § 2-0103.7 shall not apply to lots in subdivisions developed as R-C Cluster.

**2-0104 General Subdivision Ordinance Waiver** (Deleted by 57-96-PFM)

**2-0105 Monuments**

2-0105.1 (95-06-PFM) Required monuments shall be iron pipe or solid iron rod not less than ½ inch more than 1 inch in diameter and a minimum of 18 inches in length or other permanent marker (e.g., pk nail, drill hole or etch mark). The top of all such monuments shall be set flush with the finished ground surface at their respective locations.

2-0105.2 In all subdivisions, these monuments shall be placed in the ground at all lot corners. Also, these monuments shall be placed at all angle points in the outer lines of the subdivision and at all points of angles and curvature in the right-of-way of all streets within the subdivision.

2-0105.3 (95-06-PFM) Prior to bond release, a statement of certification by a surveyor licensed by the Commonwealth of Virginia shall be provided, certifying that all required monuments have been installed in accordance with criteria listed above, and bearing the surveyor’s seal, signature and Virginia registration number.

**2-0106 Open Space**

2-0106.1 For open space and recreational purposes, the Director may require the dedication of 10 percent of the gross area, in parcels of appropriate size and location, in every subdivision except:

2-0106.1A Where the average building lots are 36,000 square feet or larger; or

2-0106.1B Where the proposed subdivision is solely for commercial or industrial purposes; or

2-0106.1C When the subdivision is approved under the cluster provisions of the Zoning Ordinance; or

2-0106.1D Where the County, FCPA, the Regional Park Authority, or the School Board is unwilling, for whatever reason, to accept such dedication.

2-0106.2 The Director, in approving land for dedication, shall be guided by the definition of “open space” contained in the Zoning Ordinance.

2-0106.3 In the design for necessary recreational facilities to be constructed, the developer shall use the criteria in § 2-0209 *et seq.* If standards for construction of recreational facilities are not contained in this PFM, the developer shall consult FCPA to determine if design standards are available for these facilities.

**2-0107 Topography**

2-0107.1 Existing topography shall be shown on all plans submitted to the Director when a change of the natural topography of the land is proposed.

## 2-0000 GENERAL SUBDIVISION AND SITE PLAN INFORMATION

2-0107.1A (53-96-PFM, 67-99-PFM) On preliminary plats, 2-foot contour intervals or other intervals satisfactory to the Director and/or the State Health Department shall be shown which would show the character of the terrain.

2-0107.1B (115-13-PFM) All topography shall be correlated to the NGVD 1929 datum.

2-0107.2 The elevation of existing and proposed ground surface at all street intersections and points of major grade lines connecting therewith shall be shown on preliminary plats.

2-0107.3 (67-99-PFM, 53-96-PFM) Aerial topography at 5-foot contour intervals will be acceptable for preliminary plats for R-C Cluster Subdivisions, except where a closer interval may be required by the Health Department.

### **2-0108 E&S Control and Soil Removal**

2-0108.1 E&S controls are required as set forth in § 11-0000 *et seq.* and Chapter 104 (Erosion and Sedimentation Control) of the Code.

2-0108.2 All plats and plans shall be designed in such a manner that their execution will not require the excavation and removal from the site of soil, sand, gravel or other similar materials; provided that the Director may approve plans requiring such excavation and removal for the purposes detailed in §2-0108.3 *et seq.* for subdivision and site plans.

2-0108.3 The Director may approve the excavation and removal of soil, sand, gravel or other similar material from an approved subdivision site when:

2-0108.3A It is determined that spoiling the material on-site will be detrimental to conservation of open space, trees, desirable vegetation or create an E&S problem, or

2-0108.3B It is determined that the excavated material is unsuitable in other areas where fill is requested, or

2-0108.3C The terrain of the site is such that little or no area is available for disposal and excavation is necessary to construct roads and prepare sites for building, or

2-0108.3D The developer's engineer can prove by engineering computation that the material cannot be utilized on-site or within the area of the preliminary plat, and must be excavated to develop the site to its full potential.

**2-0109 Soils Information**

2-0109.1 (72-01-PFM) A soil map at a scale of not less than 1 inch=500 feet shall be provided on preliminary plats, site or subdivision plans and lot grading plans. The soil type for each lot shall be identified in tabular form by the soil identification number, name and problem class on all site, subdivision and lot grading plans.

**2-0110 Large Lot Subdivisions**

2-0110.1 (38-93-PFM) For large-lot subdivisions (divisions or redivisions of real property where any tract, plot or parcel is 5 acres or the metric equivalent or greater) exempt from the provisions of the Subdivision Ordinance, Chapters 104 (Erosion and Sedimentation Control), 107 (Problem Soils), 112 (Zoning Ordinance), 116 (Wetlands), and 118 (Chesapeake Bay Preservation Ordinance) of the Code shall apply.

2-0110.2 (38-93-PFM) Clearing and grading shall not be undertaken until a clearing and grading plan, an E&S control plan and conservation agreement have been submitted to and approved by the Director. All wetlands permits required by law shall be obtained prior to commencing land disturbing activities. Evidence of such permits shall be provided to the Director prior to commencing land disturbing activities. For those activities regulated under general permits for which the issuing agencies do not normally provide a written confirmation of permit issuance, a copy of the general permit(s) and a statement describing the proposed activity and certifying compliance with all applicable permit conditions will serve as the required evidence. Wetlands permits include both COE Permits and Virginia Water Protection Permits.

2-0110.3 When plans for these large-lot subdivisions are filed, the following will be required:

2-0110.3A (53-96-PFM, 67-99-PFM) Topographic sheets with 5-foot contour intervals at a scale no greater than 1 inch=100 feet showing:

2-0110.3A(1) Proposed or existing lot lines.

2-0110.3A(2) Existing tree lines.

2-0110.3A(3) Limits of clearing and grading:

2-0110.3A(3)(a) Limits of grading shall be clearly shown, and

2-0110.3A(3)(b) Sufficient information shall be provided concerning the proposed grades and at a large enough scale to insure that an accurate representation is shown on the plans.

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2-0110.3A(4) An E&S control plan:

2-0110.3A(4)(a) The E&S control measures must include calculations to insure the adequacy of proper sediment basins, and

2-0110.3A(4)(b) The submitting engineer must perform the necessary computations, and

2-0110.3A(4)(c) Seeding and mulching of exposed slopes or other disturbed ground must closely follow completion of construction activity, and

2-0110.3A(4)(d) No disturbed area shall be denuded more than 14 calendar days in accordance with § 11-0105.2.

2-0110.3A(5) The location, size and length of all culverts:

2-0110.3A(5)(a) Roadway drainage must be properly handled to preclude stormwater running down the face of slopes; and

2-0110.3A(5)(b) It will be necessary to show proper drainage channels (stabilized to preclude erosion) to carry stormwater from ditches in cut areas either to stabilized areas away from fill slopes, to ditches along the toes of fill slopes, or in ditches along the shoulder of the fill slopes to a paved chute or flume at the low point.

2-0110.3A(6) (30-90-PFM) 100-year floodplain limits.

2-0110.3A(7) (38-93-PFM) Wetlands limits.

2-0110.3A(8) (38-93-PFM) RPA boundary and RMA boundary.

2-0110.3B Conservation agreement as provided for in § 2-0700 *et seq.*

2-0110.3C Profiles of private streets other than driveways.

2-0110.3D Proper compaction:

2-0110.3D(1) Adequate compaction of fill embankments shall be required to ensure proper stability of the slopes which may be no steeper than 2H:1V; and

2-0110.3D(2) Compaction requirements shall be shown on the plan and shall meet 95 percent density in accordance with AASHTO-T99. Fill slopes which are not adequately compacted will erode to the point where established ground covers will be undermined and washed down the slope.

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2-0110.3E Computations showing adequacy of culverts and any drainage swale designed to carry more than 10 CFS.

2-0110.3F (38-93-PFM) Stormwater Quality. All necessary Water Quality Impact Assessments, RPA Boundary Delineations and RMA Boundary Delineations must be submitted and adequate measures provided in compliance with Chapter 118 (Chesapeake Bay Preservation Ordinance) of the Code and § 6-0000 *et seq.*

2-0110.3G (38-93-PFM) Statement on the plans by the owner/developer certifying that all wetlands permits required by law will be obtained prior to commencing land disturbing activities.

### **2-0111 Tree Conservation Requirements (106-10-PFM, 29-90-PFM)**

2-0111.1 Tree conservation requirements shall be addressed on all land being developed as set forth in Chapter 122 (Tree Conservation Ordinance), the Subdivision Ordinance, Chapter 104 (Erosion and Sedimentation Control) of the Code, Article 13 of the Zoning Ordinance, and PFM § 12-0000 *et seq.*

2-0111.2 With the exception of the minor land disturbance scenarios identified in paragraph (b) of Section 122-2-1 (Ten year Tree Canopy Requirements) of the Code, this requirement shall be met on all subdivision plans, site plans and grading plans required to be submitted to the Director for review and approval.

## **2-0200 PLAT AND PLAN PREPARATION**

### **2-0201 General Requirements**

2-0201.1 (53-96-PFM) The maximum sheet size for a preliminary plat shall be 36 inches x 48 inches. If more than one sheet is required for a preliminary submission, match lines must be provided.

2-0201.2 (53-96-PFM, 67-99-PFM) Final subdivision plats shall be drawn to a scale of 1 inch=100 feet or larger with minimum size lettering of 1/10 inch on sheets with match lines not less than 8½ inches x 11 inches and not more than 18 inches x 24 inches. Margins shall be at least ¼ inch on all sides, and all drawings shall have centering marks on each side. Match lines or grid tics delineating 8½-inch x 11-inch sections, shall be inscribed on all plats larger than 8½ inches x 11 inches.

2-0201.3 Existing and proposed easements on final plats shall be tied by bearing and distance to a lot corner.

2-0201.4 Final plats become legal documents and shall provide adequate information to enable the engineer or surveyor to locate easements in the field.

2-0201.5 (53-96-PFM) Subdivision, site construction and as-built plans shall be submitted on standard-size sheets of 24 inches x 36 inches.

2-0201.6 (67-99-PFM, 53-96-PFM) The standard scale for subdivision, site construction and as-built plans shall be 1 inch=50 feet or larger. The standard profile scale shall be 1 inch=50 feet or larger horizontally and 1 inch=5 feet or larger vertically. In all cases, the scale used on the as-built plan shall be the same as the scale of the approved construction plan.

2-0201.7 (49-95-PFM) For underground transmission lines and pipelines as defined in § 2-0404, written proof shall be submitted that all owners of major underground utility easements have been notified in accordance with all applicable regulations.

2-0201.8 (97-07-PFM) All preliminary plats, final subdivision plats, and plans that propose private streets that will not be constructed to VDOT standards shall include the following statement: “The private streets in this development do not meet the standards necessary for inclusion in the system of state highways and will not be maintained by VDOT or Fairfax County, and are not eligible for rural addition funds or any other funds appropriated by the General Assembly of Virginia and allocated by the Commonwealth Transportation Board.” All preliminary plats, final subdivision plats, and plans that propose private streets that are constructed to VDOT standards, but are not intended for inclusion in the system of state highways shall include the following statement: “The private streets in this development are not intended for inclusion in the system of state highways and will not be maintained by VDOT or Fairfax

County, and are not eligible for rural addition funds or any other funds appropriated by the General Assembly of Virginia and allocated by the Commonwealth Transportation Board.”

**2-0202 Submission of Subdivision and Site Plans**

2-0202.1 These plans shall be submitted to DPWES.

2-0202.2 The developer shall submit such topographic data as may be determined necessary for the reasonable development of the proposed subdivision or site plan.

2-0202.3 (47-95-PFM) Copies of site and subdivision plans intended for the water supply agency shall be submitted directly to DPWES, for subsequent routing through the Fire Marshal’s Office and the appropriate water supply agency. Such plans may also be routed to VDOT when appropriate, as determined by DPWES, based on prospective improvements to be made within proposed or existing VDOT rights-of-way. Interim transactions may be made directly with the water supply agency.

2-0202.4 Two additional copies of all subdivision and site plans shall be submitted to DPWES for forwarding to VDOT. All plans shall be approved by VDOT prior to final approval by the County.

2-0202.5 (65-99-PFM) Where there is a proposed division of real property, the record plat check sheet shall be included as an integral part of construction plans submitted for approval. The record plat check sheet may be required by the Director on a first submission plan if additional information is needed.

2-0202.5A This shall be accomplished by running prints of the record plat check sheet on standard 24-inch x 36-inch sheets or the metric equivalent and including these as consecutive pages in each set of plans.

2-0202.5B This does not change the standard size of the final record plat.

2-0202.6 All submissions of subdivision and site plans shall include a clearing and grading plan.

2-0202.7 The Health Department must review and approve, as appropriate, each project with respect to a water plan, a sewage plan, and solid waste plan. In connection therewith, the plan and plat submissions shall contain the following information:

2-0202.7A Water Plan – The preliminary plat must indicate a description of the source of water supply, including:

2-0202.7A(1) Attachment to an existing public water supply;

2-0202.7A(2) Creation of a new public water supply; or

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2-0202.7A(3) Individual supply for each lot.

2-0202.7B If the attachment is to an existing supply, the plat shall show the extension of the water lines.

2-0202.7C Sewage Plan – The plats and plans shall show the attachment to existing public sewage system or the location of individual sewage disposal systems as set forth in § 10-0000 *et seq.*

2-0202.7D (101-08-PFM) Solid Waste and Recycling Plan - The plats and plans shall comply with § 10-0300 *et seq.*

2-0202.8 Two prints each of the plan or plats, showing on-site and off-site easements (storm, sanitary, turnaround, etc.), shall be submitted with the second submission.

2-0202.8A The plats shall be reviewed, approved or noted as appropriate, and returned to the engineer.

2-0202.8B It shall be the engineer's responsibility to see that the approved easement plats are recorded and a Clerk's copy showing the deed book and page is returned to DPWES.

2-0202.9 All letters of permission, temporary construction easements, maintenance agreements for stormwater retention/detention, and construction schedules required for the construction of the site or subdivision plan, shall be submitted with the second submission.

2-0202.10 Subdivision street plans shall be prepared in accordance with an approved preliminary plat.

**2-0203 Clearing and Grading Requirements** (see also § 11-0200)

2-0203.1 All submissions of the following shall show clearing and grading limits:

2-0203.1A Preliminary Plats;

2-0203.1B Subdivision Plans and Profiles;

2-0203.1C Site Plans;

2-0203.1D Clearing and grading plans to include clearing and grading for borrow areas, fill areas and independent subsurface utility installations in easements; and

2-0203.1E Plans submitted with building permit applications, including swimming pools, when deemed necessary by the Director.

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2-0203.2 An approved subdivision plan or an approved site plan for townhouses constitutes a sufficient basis for the issuance of a clearing and grading permit for the particular project within the clearing and grading limits and for that grading specified in the plan (see § 2-0800).

2-0203.3 Clearing permits, grading permits and all sanitary sewer plans may not be approved for construction prior to the final approval of the site and subdivision plan, except when approved by the Director pursuant to a written request from the applicant justifying the reasons for issuance of such permit.

2-0203.4 Clearing and grading prior to plan approval.

2-0203.4A Once a site plan has been submitted, clearing and grading on that site in advance of the site plan approval is not permitted except where unusual circumstances or hardship prevails or where projects qualify for “modified processing procedures” in accordance with adopted criteria by the Board.

2-0203.4B (38-93-PFM) For those site plans which have been approved by the Director for review under the “modified processing procedures” or where unusual circumstances or hardship prevails, clearing and grading prior to site plan approval may be allowed provided that the following conditions are met:

2-0203.4B(1) (38-93-PFM) A letter of justification citing genuine hardship and requesting advance approval for grading is submitted to and approved by the Director of the Site Development and Inspections Division, DPWES.

2-0203.4B(2) (38-93-PFM) Evidence that all wetlands permits required by law shall be provided to the Director prior to commencing land disturbing activities. For those activities regulated under general permits for which the issuing agencies do not normally provide a written conformation of permit issuance, a copy of the general permit(s) and a statement describing the proposed activity and certifying compliance with all applicable permit conditions will serve as the required evidence. Wetlands permits include both COE Permits and Virginia Water Protection Permits.

2-0203.4B(3) (38-93-PFM) All necessary RPA exceptions/exemptions/waivers have been granted.

2-0203.5 A conservation agreement shall be required for all plans listed in § 2-0203.1 *et seq.* prior to any clearing or grading.

2-0203.6 It is recognized that some revisions to the grading plan may be required should the type of house proposed be revised following its original preparation and submission. This should not materially affect proposed grading adjacent to major drainage systems or eliminate design for control of E&S.

**2-0204 Construction Schedule (72-01-PFM)**

This entire section deleted.

**2-0205 Retaining Walls and Bridges**

2-0205.1 A separate building permit shall be obtained for any retaining walls utilized in connection with site plan or subdivision development.

2-0205.2 Two sets of plans showing the wall location and details shall be submitted to the Building Plan Review Branch, DPWES, at the time application is made for the building permit.

2-0205.3 This shall not include any small decorative “garden type” walls less than 24 inches in height.

2-0205.4 A separate building permit shall be obtained for any bridge outside VDOT rights-of-way.

**2-0206 Fees (See § 2-1000 *et seq.*)**

**2-0207 Cost Estimate Schedule**

2-0207.1 The estimate schedule is designed to expedite the processing of the completion bond.

2-0207.1A The engineer shall determine the quantities and current costs and enter them in the estimate schedule.

2-0207.1B DPWES shall review the estimate schedule for accuracy.

2-0207.2 Subdividers shall be responsible for all improvements within dedicated rights-of-way until streets are accepted by VDOT including appurtenances beyond the right-of-way lines that serve the improvements within the right-of-way.

**2-0208 VDOT Specifications**

2-0208.1 The current specifications of VDOT shall govern for all materials, workmanship, seasonable limitations and construction procedures in conjunction with the specific standards and specifications adopted by the County.

2-0208.2 (47-95-PFM) The VDOT recommendation for approval signature on subdivision and site plans shall be effective for 24 months unless construction has started and proceeds to completion in a normal orderly manner.

2-0208.3 In cases where there are no existing standards for a particular structure, detailed scale drawings and specifications shall be submitted with the plans.

**2-0209 Recreational Equipment and Criteria**

2-0209.1 When proposed, recreational facilities shall be provided in accordance with the standards shown in Plates 18-8 thru 44-8, and § 8-0300 *et seq.* Where tot lots are proposed, the following criteria shall be considered in the design of the facility:

2-0209.1A Tot lots shall be designed for children, ages one through six.

2-0209.1B If the tot lot is to be enclosed, benches shall be located inside the enclosure.

2-0209.1C Equipment with broad metal surfaces, such as slides, shall be oriented to the north to avoid direct sun.

2-0209.1D Equipment designed to accommodate persons with disabilities shall be considered.

2-0209.1E (30-90-PFM) Tot lots shall be located within sight of buildings, residences, well-used walkways or streets. Tot lots shall also be located so they are easily accessible and within walking distance from all areas of the neighborhood.

2-0209.1F The type, size, number and quality of equipment shall be shown and should contain a mix of some of the following types of equipment:

2-0209.1F(1) Slides (platform height maximum 5 feet).

2-0209.1F(2) Swings, tot (rubber tot seats, or rubber strap seats).

2-0209.1F(3) Balance beams (maximum height 16 inches).

2-0209.1F(4) Spring animals and/or spring pads.

2-0209.1F(5) Play structures (platform height maximum 4 feet).

2-0209.1F(6) Spinarounds (whirls-solid platforms maximum 6 feet diameter).

2-0209.1F(7) Horizontal bars (maximum height 5 feet to 6 feet).

2-0209.1F(8) Climbers (maximum height 5 feet).

2-0209.1F(9) Ramps and/or paved “runways” (maximum grade of 10 percent).

2-0209.1G Equipment which is not permitted for tot lots includes see-saws and oversized apparatus not intended for small children.

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2-0209.1H All play equipment shall be in accordance with current approved Consumer Product Safety Commission recommendations and guidelines, and installed in accordance with manufacturer's recommendations.

2-0209.1I The minimum area of a tot lot shall be 1,000 square feet and shall contain a minimum of four distinct types of activity (i.e., swinging, sliding, climbing, jumping and balancing).

2-0209.1J A tot lot shall be enclosed when the tot lot is located within 100 feet of a road, street or parking lot. The type of enclosure shall be chain link fence (minimum height of 42 inches, knuckled fabric selvage, top and bottom) or wood rail fence (minimum height of 42 inches/ 3 rails).

2-0209.1K The surface of the tot lot shall be shown and shall contain a minimum of 8 inches of woodchips, sand or pea gravel over a dry, compacted base.

2-0209.1L All play equipment must have a use area under the equipment, and a 6-foot buffer between use areas of adjacent equipment or benches, as defined below. Curbing of any type, fences, trees, and walls shall be kept outside the use area of all equipment, so the users will not fall and strike their body on the obstacle. Some suggested use areas are as follows (see Plates 18-8 thru 44-8 and § 8-0300 *et seq.*):

2-0209.1L(1) Swinging devices shall have a use area 7 feet greater than the distance between the seat and the top bar of the swing set, when the seat is fully extended parallel to the ground in both the front and rear;

2-0209.1L(2) Sliding devices shall have a 6-foot use area on all sides;

2-0209.1L(3) Revolving devices shall have a 7-foot use area around the outside edge of the device; and

2-0209.1L(4) Stationary devices shall have a 6-foot area on all sides.

2-0209.1M Benches shall be located within tot lot areas, and shall have a use area as follows: 4 feet in front, 2 feet on the sides, 2 feet in back for a bench with a back, or 4 feet in back for a backless bench.

### **2-0210 Cut Sheets**

2-0210.1 (57-96-PFM) The contractor shall make cut sheets available to DPWES at the project site at all times when street, storm sewer or sanitary sewer work is being performed.

2-0210.2 (57-96-PFM) Cut sheets may be submitted to DPWES three days prior to the beginning of all street, storm sewer and sanitary sewer work to satisfy the notice requirement referenced in § 2-0502 of the PFM and § 17-202 of the Zoning Ordinance.

**2-0211 Revisions**

2-0211.1 Any proposed revision to approved plans and profiles shall be submitted to and approved by the Director.

2-0211.2 The revision, if approved, is submitted with the knowledge and consent of the developer.

2-0211.3 The following procedures shall be required for the submission and approval of a revision:

2-0211.3A A letter of transmittal in duplicate shall accompany each revision submitted for review and approval describing the revision in detail and its general location; and

2-0211.3B The submitting engineer shall certify that no other changes have been made on the plan or profile except those previously approved; and

2-0211.3C All revisions shall be clearly circled in red; and

2-0211.3D A revision block, shown as Plate 2-2, shall be incorporated as part of the plan or profile sheet in which the revision is numbered and described.

2-0211.4 (36-92-PFM) Any tentatively approved preliminary plat may be revised through the same procedure used for original submission and approval. Tentative approval of a preliminary plat revision (PLV) shall not alter the expiration date of the original preliminary plat, because the review of the PLV is limited to that portion of the preliminary plat which is proposed to be revised. Prior to its expiration the original preliminary plat, with all PLVs attached, may be submitted for reapproval and reapproved for an additional period as defined in § 101-2-3(d)(4) of the Subdivision Ordinance as long as it complies with all ordinances and regulations applicable at the time of submission for such reapproval.

**2-0212 General Required Information on Plans and Profiles**

2-0212.1 All turnaround construction with easements shall be shown as required on the preliminary plat.

2-0212.2 The location of any springs, either within or draining to the street right-of-way, shall be shown together with the proposed treatment of same. All springs shall be capped and piped in a minimum 6-inches diameter perforated pipe encased in washed gravel, and connected into the nearest storm sewer appurtenance or piped to a natural outlet.

2-0212.3 (70-00-PFM) A north direction arrow referenced to the Virginia Coordinate System of 1983 (VCS 83) shall be shown on each sheet of the subdivision and site plans. It is the surveyor's responsibility to ascertain the existence of VCS 83 control monuments to be utilized in their surveys. Assistance will be provided by the Land Survey Branch, Construction Management Division, DPWES, to the extent of granting access to their records on VCS 83 control data.

2-0212.4 Any notes that may be necessary to explain the intent and purposes of the plans should be provided.

2-0212.5 Plans must be submitted by a PE, LS, or architect licensed in Virginia, with stamps on all sheets.

2-0212.6 Profiles shall be submitted on standard plan and profile sheets. Specific studies shall be submitted on cross-section paper 24 inches x 36 inches. Floodplain studies shall be submitted in accordance with the information provided in § 6-0000 *et seq.*

2-0212.7 Existing centerline profiles shall be shown and identified on all proposed:

2-0212.7A Streets,

2-0212.7B Storm sewers,

2-0212.7C Stream relocations,

2-0212.7D Drainage ditches where determined necessary, and

2-0212.7E Outfall of storm sewer to existing streams.

2-0212.8 Right and left building restriction line profiles shall be shown and identified on all street construction profiles. This also may be required on site plans.

2-0212.9 Where terrain is exceptionally rough, additional profiles on either side of centerline may be required.

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2-0212.10 Stations shown on the profile shall match stations shown on plans.

2-0212.11 (115-13-PFM) Datum reference for elevations used shall be shown and correlated to NGVD 1929 datum. In addition, all subdivisions and site plans shall show the location, elevation, and description of two benchmarks which are properly correlated to the plan elevations.

2-0212.12 The plan shall show the limits of clearing for all work to be done, including off-site turnarounds, sewer and water extensions, outfalls and pipestem driveways.

2-0212.13 (119-15-PFM) The plans and profiles shall depict areas where additional field observations and as-built measurements are necessary pursuant to § 2-1302 (L) and (N).

2-0212.14 On site plans, all easements, both on-site and off-site, shall be recorded prior to approval.

2-0212.15 On subdivision plans, all off-site easements shall be recorded prior to approval.

2-0212.16 When subsurface utility installations in easements are shown on plans, the engineer or surveyor preparing the plans shall show the limits of clearing and grading necessary for the construction of the utility, taking into account the depth of installation, working room needed, size of pipe, type of soil and slopes encountered.

2-0212.17 Where installation of an underground utility in a temporary easement is proposed, pending approval of a future section of the subdivision which will place this utility in a street right-of-way, clearing must be limited to that necessary for installation of that utility; no additional clearing shall be permitted until the entire plan for the new section is approved.

2-0212.18 Proposed street light pole placement, including distance from face of pole to face of curb, luminaire style, luminaire size and bracket length, where applicable, shall be shown.

2-0212.19 (38-93-PFM) Statement by the owner/developer certifying that all wetlands permits required by law will be obtained prior to commencing land disturbing activities.

2-0212.20 (61-98-PFM, 54-96-PFM) Plans providing an accessibility improvement for persons with disabilities as required by Federal or State accessibility requirements or plans which voluntarily provide such improvement shall be in accordance with the design specifications set forth in the Virginia USBC. Such plans shall provide the following minimum information:

2-0212.20A The location of all accessible buildings and facilities;

2-0212.20B The location and type of all ramps and curb ramps, including railings, slopes, and surface treatments;

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2-0212.20C The number, location, and dimensions of all accessible parking spaces with appropriate signage;

2-0212.20D Building information including: the number and location of required exits; location and number of all entrances, including accessible entrances; and whether or not the building has an elevator(s);

2-0212.20E (61-98-PFM) The total number of ground-floor dwelling units and the total number of accessible ground-floor dwelling units in multi-family dwelling developments regulated by the Virginia USBC; and

2-0212.20F Additional information which the Director determines is necessary to demonstrate compliance.

2-0212.21 (96-06-PFM) On subdivision plans where the lot configuration is subject to the shape factor limitations set forth in the Zoning Ordinance, the shape factor shall be depicted for each lot within the proposed subdivision.

**2-0300 REGULATIONS FOR PREPARATION AND REVIEW OF SKETCH PLANS**

(Deleted by 43-94-PFM)

**2-0400 UTILITIES**

**2-0401 Installation**

2-0401.1 Except as set forth in § 2-0402, all utilities, as defined in the Subdivision Ordinance, shall be installed underground in accordance with County standards, Chapter 63 (Excavation and Utility Line Installation) of the Code and applicable State regulations.

2-0401.2 All underground installation of utilities shall be based upon proposed finished grade as shown on approved construction plans. No utility shall be at a depth less than required by the Code subsequent to final grading.

2-0401.3 Any utility easement to be conveyed and/or recorded subsequent to the approval of any plats, plans or profiles, on those developments that contain proffered buffer zones/strips or tree preservation areas, shall be submitted to the Director for review and approval prior to conveyance of an easement or the initiation of construction, whichever comes first, to ensure compliance with any prior zoning action or any zoning proffer.

2-0401.4 No underground water, electric, or other similar utility may be constructed within a storm, sanitary, or other County easement without coordination with and written approval of the Director.

**2-0402 Underground Installation Exemptions**

2-0402.1 Equipment, such as electric distribution transformers, switchgear, meter pedestals and telephone pedestals, which normally are installed above ground, may continue to be so installed, in accordance with accepted utility practices for underground distribution.

2-0402.2 Meters, service connections and similar equipment, normally attached to the outside wall of the premises they serve, may be so installed.

2-0402.3 Temporary overhead facilities required for construction purposes shall be permitted.

2-0402.4 In subdivisions approved for R-C Cluster development, underground installation of utilities for electrical and communications shall not be required.

**2-0403 Depiction of Utilities on Plats, Plans and Profiles**

2-0403.1 It shall not be required that proposed utility easements in which utilities under the jurisdiction of the State Corporation Commission are to be installed by someone other than the developer or his contractor be shown on plats, plans, or profiles as a prerequisite to the approval of such plats, plans or profiles.

2-0403.2 Developers are requested to provide easements for franchised Community Antenna Television (CATV) in accordance with the following guidelines:

2-0403.2A Plats and plans shall show easements 10 feet wide contiguous to and continuously along both sides of all street rights-of-way.

2-0403.2B In subdivisions containing private streets, the proposed easements shall be 10 feet wide and located in unpaved areas between the proposed private street and the units. Where a sidewalk exists along a private street, the easement shall be located contiguous to and to the rear of the sidewalk.

2-0403.2C Alternate locations may be approved where the utility proposes to locate telephone and/or electric service other than in the locations set forth in § 2-0403.2A and 2-0403.2B.

2-0403.2C(1) Where feasible, easements at the rear of a lot where telephone easements are proposed may be acceptable for CATV easements provided the CATV easements are continuous to the subdivision entrance.

2-0403.2C(2) The rear-lot location may occur most often in attached dwelling unit developments and other subdivisions with common areas which abut rear-lots.

2-0403.2D A standard format for an “Agreement and Deed of Easement” has been prepared for CATV easements. This standard form is available from the Plan and Document Control Division, DPWES, and may be executed and recorded with the plat. Easements should run to the Board of Supervisors of Fairfax County, Virginia as grantee.

2-0403.2E The CATV company shall furnish assistance to developers in locating the proposed cable easements on plats or plans.

2-0403.2F For those subdivisions which have been previously recorded, a copy of the subdivision plat may be marked by a PE or LS with the easement and recorded with the standard easement form.

2-0403.2G Where other utility easements have been previously established and cable television is to be installed in the same location, the plat showing telephone or electric easements may be adapted to show CATV lines and easements at the same locations. These plats may be recorded using the standard easement form.

2-0403.2H Generally, where other utility locations have been established, CATV easements should follow electric and telephone; or where these differ, CATV should follow telephone.

2-0403.3 (101-08-PFM) It shall not be required that proposed common or shared easements be depicted on plats and plans as a prerequisite to the approval of such plats and plans; however, developers are requested to work with utility companies early in the design process to encourage the placement of electric, cable, telephone and gas facilities within common or shared easement areas, the location and size of which shall be adequate for use by public service corporations and franchised cable television operators which may be expected to occupy them.

2-0403.3A (101-08-PFM) On all plats and plans, a note shall be included stating that any future easement or authorization for electric, cable, telephone or gas service to be furnished to the property must comply with the provisions of Va. Code 15.2-2241(6).

2-0403.3B (101-08-PFM) For sites subject to proffers, the common or shared easement shall only be within proffered limits of clearing and grading; but, shall not be within proffered tree save areas.

**2-0404 Depiction of Certain Underground Transmission Lines and Pipelines on Subdivision, Site, and Public Improvement Plans (49-95-PFM)**

2-0404.1 The submission of a subdivision, site or public improvement plan shall depict the horizontal location of certain existing underground transmission lines and pipelines and associated easements.

2-0404.1A For the purposes of this section, those transmission lines and pipelines are and the terms “transmission lines” or “pipelines” shall mean:

2-0404.1A(1) Transmission lines that transport gas as defined in the Code of Federal Regulations, Title 49, § 192.3.

2-0404.1A(2) Pipelines used for transportation of hazardous liquids as defined in the Code of Federal Regulations, Title 49, § 195.2.

2-0404.1B The horizontal location of such transmission lines and pipelines may be derived from utility records, surface features, geophysical prospecting or other reliable means.

2-0404.2 Subdivision, site or public improvement plans submitted for approval shall depict, by survey station and elevation to an accuracy of 6 inches, the horizontal and vertical locations of all existing transmission lines and pipelines that will be crossed by the proposed facilities which are shown on the plan or which lie within 3.3 feet of proposed excavation or grading. Such transmission line and pipeline point locations shall be determined by physical examination and certified by a PE or LS registered in the State of Virginia.

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2-0404.3 Construction plans or any other plans which incorporate any material modification to the design of proposed facilities, as depicted on final subdivision, site and public improvement plans, shall also comply with the requirements of § 2-0404.2.

2-0404.4. This section in no way modifies Chapter 63 (Excavation and Utility Line Installation) of the Code.

## **2-0500 GENERAL IMPROVEMENTS AND INSPECTIONS**

### **2-0501 Improvements**

2-0501.1 Improvements required in subdivisions, which include or involve any public street or any easement or any right-of-way connecting two public streets, shall be as set forth in § 7-0000 *et seq.*

2-0501.2 A subdivider shall have the right to install improvements in addition to those required by the minimum standards.

2-0501.3 All construction performed in dedicated rights-of-way and easements shall conform to the current standards and procedures prescribed by VDOT, but in no case shall be less than current specific standards adopted by the County.

### **2-0502 Inspections**

2-0502.1 (73-02-PFM) Pre-construction Conference. Except as herein, a pre-construction conference shall be held prior to the commencement of any construction on a project, particularly before any clearing and grubbing are begun.

2-0502.1A Upon receipt of a request by the developer to the Director to hold a conference the Director shall arrange for all concerned County agencies to be represented. The developer should arrange for all appropriate contractors involved in the project to be present, including, to the extent possible, all necessary utility contractors.

2-0502.1A(1) (95-06-PFM) The pre-construction conference should be held within five working days of the request.

2-0502.1A(2) (95-06-PFM) To avoid undue delay in the event the County is unable to hold a conference within five working days, the conference shall be held in no more than ten working days; meanwhile the developer may proceed in strict accordance with all applicable codes, laws, and approved plans. In computing the five-day or ten-day period, the first day shall be the date of receipt of the request from the developer.

2-0502.1B (111-13-PFM) Prior to requesting a pre-construction conference, the developer shall:

2-0502.1B(1) Have the project plans approved by the Director.

2-0502.1B(2) Obtain all necessary permits.

2-0502.1C Prior to the scheduled date of the pre-construction conference and the commencement of construction, the developer shall:

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2-0502.1C(1) Have the clearing limits accurately flagged by the developer's engineer or surveyor with a continuous line of surveyors tape within the section of the project to be cleared. The limits of clearing and grading shall not exceed that shown on the approved plan.

2-0502.1C(2) The developer shall provide on-site copies of all approved plans, revisions, zoning conditions and regulatory specifications applicable to the project. These documents shall be retained on-site by the project superintendent through the active construction phases of the project.

2-0502.1C(3) Complete all tree-related pre-construction requirements under § 12-0701 *et seq.*

2-0502.1D (95-06-PFM) During the pre-construction conference representatives of the Director and the developer shall review the work shown on the approved plan and the sequence of conservation and construction tasks. The flagged limits of clearing and grading shall be walked by the representatives and approved by the Director's representative prior to the commencement of clearing and grading, unless the County is unable to hold a pre-construction conference within five working days as stated in § 2-0502.1A(2).

2-0502.2 (73-02-PFM) Inspections During Construction

2-0502.2A All clearing limits shall be inspected and approved by the Director prior to any clearing taking place. This shall include any clearing subsequent to the initial development work that has not been previously marked and inspected, i.e., overlot clearing, utility work, or silt basins.

2-0502.2B Inspections during the installation of the physical improvements shall be made periodically by the Director to insure conformity with the approved plans and specifications.

2-0502.2C The developer shall notify the Director in writing three days prior to the beginning and completion of all street and storm sewer work performed in connection with the subdivision or site plan.

2-0502.2D The subdivider/developer shall provide adequate supervision of the project site during the installation of all required improvements, and have a responsible superintendent or foreman available at the project site at all times when work is being performed.

2-0502.2E Refer to § 12-0702 *et seq.* for information regarding land clearing operations and § 12-0804 *et seq.* for information regarding the treatment of tree preservation areas during construction.

2-0502.2F (101-08-PFM) Storm sewer pipes shall undergo visual and video inspections, installation deflection testing and pipe evaluations by the developer to ensure proper performance in accordance with the following:

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2-0502.2F(1) Visual Inspection for HDPE: During the installation process, the developer shall provide for full-time visual inspection of high density polyethylene (HDPE) storm sewer pipe. Installation and inspection of bedding and backfill materials, as well as their placement and compaction, shall meet the PFM requirements and Section 30.5.6.1 (Visual Inspection) of the American Association of State and Highway Transportation Official's (AASHTO's) Load and Resistance Factor Design, Bridge Construction Specifications, respectively. Visual inspection shall be performed by an independent inspection and testing agency or design professional licensed in the Commonwealth of Virginia. (In accordance with standard practice, the actual testing and inspections may be performed by an individual under responsible charge of the licensed professional.)

2-0502.2F(2) Video Inspection for all pipes: No sooner than 30 days after completion of installation and final fill and pavement or alternative section, a video record shall be performed by the developer on all storm sewer pipes unless deemed unnecessary by the Site Development and Inspections Division (County inspector), DPWES.

2-0502.2F(3) HDPE Installation Deflection Testing: No sooner than 30 days after completion of installation and final fill and pavement or alternative pavement section, HDPE pipe shall be evaluated for deflection using a mandrel or other device that can physically verify the dimension of the pipe as approved by the Director. The pipe shall be evaluated by the developer to determine whether the internal diameter of the barrel has been reduced more than 5 percent. A minimum of 10 percent of the total number of pipe runs representing at least 10 percent of the total length of installed pipe shall be tested for deflection, in addition to all areas that were identified in the visual inspection as having deflection. Deflection testing shall be conducted by the Developer in the presence of a County inspector, or by an independent inspection and testing agency or design professional licensed in the Commonwealth of Virginia. Testing shall be conducted in the locations specified by the County inspector.

2-0502.2F(4) Pipe Evaluations for concrete and HDPE: Pipe inspection shall be in accordance with Sections 27.6 (Field Inspection) and 30.5.6.2 (Installation Deflection) of AASHTO's Load and Resistance Factor Design, Bridge Construction Specifications as determined by the Director. For instances where cracks are wider than 0.01 inches for concrete pipe, and where pipe deflection exceeds 5 percent of the inside diameter of HDPE pipe, an evaluation shall be conducted by the developer's design professional licensed in the Commonwealth of Virginia and submitted to the County for review and approval considering the severity of the deflection (HDPE), structural integrity, environmental conditions, and the design life of the pipe. Repairs, replacement and remediation shall be noted on the inspection report and made in a manner acceptable to the Director. Copies of inspection and mandrel test results, and video record that depict construction and installation of pipes in compliance with PFM standards shall be provided to the County inspector for review and record within two weeks of the time the video was taken. The video recording shall be provided in a format acceptable to the Director. The independent inspection and testing agency or design professional licensed in the Commonwealth of Virginia shall certify that the required testing and inspections have been completed and construction is in conformance with the approved plans, VDOT specifications and standards of the PFM.

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2-0502.2G (119-15-PFM) Refer to § 6-1300 *et seq.* for information regarding required inspections during construction and certification of stormwater and best management facilities.

2-0502.3 (73-02-PFM) Inspections Required Upon Completion of Construction

2-0502.3A The developer shall request an inspection when construction is complete to ensure that all work is in accordance with the approved plans.

2-0502.3B At the completion of all construction, preparation, and restoration work, site development shall conform to the approved plans, revisions, and all applicable requirements.

**2-0600 BONDS AND AGREEMENTS**

**2-0601 Agreement and Bond Establishment**

2-0601.1 The Agreement. The agreement is a legal, binding contract between the developer and the County that specifies the manner and the date by which the physical site improvements, as shown on the approved plans, shall be completed.

2-0601.1A Agreements for Residential Developments. An agreement, supported by a bond or other security, shall be required on all projects and obligates the developer to construct the required improvements shown on the approved subdivision plans or site plans for townhouse, condominium, and apartment developments, within the specified time limit.

2-0601.1B Agreements for Commercial and Industrial Developments. An agreement, supported by a bond or other security, providing for the construction of public improvements located in easements and rights-of-way within a specified time limit shall be required. An agreement not supported by a bond shall be obtained for required non-public improvements.

2-0601.1C (95-06-PFM) Developer, as used in this section, shall mean any owner, builder, subdivider, or other person or entity engaged in the land development process and shall include their principals, officers, members, managers, partners, alter egos, and members of the immediate family related to any of the foregoing.

2-0601.2 The Bond

2-0601.2A The developer is required to provide to the County a performance bond which assures compliance with terms of the agreement.

2-0601.2B (95-06-PFM) The bond amount is the full amount of the cost estimate plus contingencies, engineering costs and inflation. In the event the developer has not met all the previous land development obligations in accordance with all development agreements with Fairfax County for the previous seven years, then the bond amount should include the cost estimate plus a factor of 50 percent of the estimate to cover administrative costs, inflation, and potential damage to existing roads or utilities.

2-0601.3 The Cost Estimate for Damaged Items, Supervision and Administration

2-0601.3A The bond cost estimate is prepared and submitted by the engineer for the developer. Although it is not required to specify an amount for each improvement shown on the plans, the bond is intended to cover all required improvements shown on the approved plan. In order to establish consistency in methodology, the County has prepared guidelines for the preparation of the estimate. The guidelines are available in the Site Development and Inspections Division, DPWES.

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2-0601.3B The County reviews the engineer's cost estimate for completeness and accuracy and prepares a "bond package" for the developer that includes copies of the agreement, the bond, final cost estimate and surety instructions.

2-0601.4 Acceptable Surety or Security. The following types of surety or security may be accepted by the County:

2-0601.4A (95-06-PFM, 71-01-PFM) Corporate Bonds. This surety shall be furnished by an insurance company licensed to transact fidelity and surety insurance in Virginia and shall guarantee the full amount of the bond. The ability of the surety writer to provide satisfactory performance guarantee will be assessed by County staff in accordance with criteria reported in the latest publication of the Best Key Rating Guide and the U.S. Treasury Department Federal Register circular. Performance bonds will only be accepted (1) in amounts not exceeding those limitations identified in the U.S. Treasury Department Federal Reserve's Registry of Sureties; and (2) from sureties rated as Class A VI or better in the Best Key Rating Guide unless the corporate surety provides:

- a) A cut-through agreement under which the surety and reinsurance company are jointly and severally liable in the event of the developer's default, in a form acceptable to the Director, with a reinsurance company that is rated as Class A VI or better in the latest publication of the Best Key Rating Guide; or
- b) A co-surety on the bond that is rated as Class A VI or better in the latest publication of the Best Key Rating Guide.

2-0601.4A(1) Extension requests for agreements that have expired and are supported by a corporate surety bond must have the written consent of the surety provider assigned a rating of A VI or better or as otherwise specified above.

2-0601.4A(2) (95-06-PFM) The development and insurance company shall notify the Director in writing if the Best Key rating for the insurance company falls below Class A VI. The notification shall be provided to the Director no later than 45 calendar days after the Best Key rating is reported.

2-0601.4A(3) (95-06-PFM) The developer shall provide a replacement agreement and security for any corporate bond provided by an insurance company whose Best Key rating has fallen to a Class B XV or lower. A complete replacement agreement shall be submitted to the Director in accordance with § 2-0602 no later than 45 calendar days after a Best Key rating of B XV is reported.

2-0601.4B Non-corporate Bonds. These bonds are supported by security in one of the following forms:

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2-0601.4B(1) (87-05-PFM) Cash Deposit. Cash in the face amount of the bond may be deposited with the Director of Finance. These deposits shall earn interest in accordance with the policy of the Board and shall be returned upon completion and acceptance of all physical site improvements.

2-0601.4B(2) (75-02-PFM, 65-99-PFM, 57-96-PFM) Letters of Credit. This security shall be furnished by a bank or other financial institution, as permitted by law. The ability of the issuing institution to provide satisfactory performance guarantee shall be assessed by County staff in accordance with criteria reported in the latest publication of the Sheshunoff Quarterly Ratings for Banks and Savings and Loan Associations. Letters of Credit will be accepted only from issuers that have a national or peer group rating that corresponds to the stated cumulative percentage of 20 percent or greater, as reported in the latest publication of the Sheshunoff Quarterly Ratings for Banks and Savings and Loan Associations. The acceptable rating for an issuer will be the highest value of the reported rating range that corresponds to the reported cumulative percentage of 20 percent or greater. Similarly, issuers of Letters of Credit offered in support of extension requests for agreements that have expired must also meet the same requirement. The Letter of Credit shall be written in such a manner as to extend six months beyond the agreement expiration date. The Letters of Credit must contain the condition of automatic renewal, providing that the Letter of Credit will automatically be extended for additional periods of six months unless the County is notified in writing not less than 30 days and not more than 60 days before the Letter of Credit's expiration date that the bank does not intend to extend such Letter of Credit, or unless the County notifies the bank that the Letter of Credit can be released to the developer (sample forms are available). Notwithstanding, the County may accept a Letter of Credit issued by a non-qualifying bank, where such bank causes to be issued to the County as beneficiary a confirming Letter of Credit of equal value from a qualifying institution or where the Director of the Department of Finance, acting upon a request from the Director for such determination, determines that a bank has sufficient financial strength and viability. The Director may request such a determination if one of the following criteria is satisfied:

- a) The bank had an acceptable Sheshunoff Rating, as described above, for the four reporting quarters immediately prior to the current Sheshunoff Quarterly Rating, or
- b) The Letter of Credit is in an amount of \$20,000 or less and has a stated term of 12 months or less, or
- c) The bank has a current rating as indicated below from one or more of the following services:
  - 1) Fitch Ratings, B or higher,
  - 2) Moody's Investors Service, Moody's Credit Opinions/Financial Institutions, B or higher,  
or
  - 3) Standard & Poors Issuer Credit Rating, A or higher.

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Using information showing current evaluations of the bank's creditworthiness published by independent sources such as, but not limited to the rating publications shown in subparagraph c, above, and other information provided by such other independent reporting services as the Department of Finance may then employ for its own use, the Director of Finance will determine whether a bank has sufficient financial strength and viability and will ascertain whether or not such a bank is a significant credit risk. In the event the Director of Finance determines that such a bank is not a significant credit risk in accordance with the provisions set forth above, such bank or its Letter of Credit, as applicable, shall be deemed acceptable.

2-0601.4B(3) (65-99-PFM) Set-Aside Letters. This security shall be furnished by the developer's lender. The letter shall be written to the Board, executed and agreed to by the developer and the lender. The amount shall be for the full amount of the final cost estimate. Three draws shall be permitted during the life of the bond and the draws shall not be allowed more often than quarterly. There shall be a fee for each draw in accordance with § 2-1000 *et seq.* The amount of the funds available shall never be less than 10 percent of the original bond estimate amount or the cost to complete improvements, whichever is greater (sample forms of the standard set-aside letter format are available at Bonds & Agreements, DPWES).

2-0601.5 Developer Performance. When a new agreement is submitted, County staff shall research the developer's background on past development performances in the County, and where possible, in other jurisdictions. If it is revealed that there is an association with any previous agreement which has expired, the new agreement shall not be approved without prior notification and concurrence of the Board. The findings of the staff, along with the signed documents returned by the developer, shall be forwarded to the Bonding Committee.

2-0601.5A (95-06-PFM) If the developer has not met all the previous land development obligations in accordance with all development agreements with Fairfax County as determined by the Director for the previous seven years, then a personal, corporate, or property bond will be disallowed by the Director as security for such facilities. In these cases, security for such facilities should be provided in the form of a certified check, cash escrow, or a letter of credit that meets the requirements specified herein.

2-0601.6 Bonding Committee/County Executive Approval. The Bonding Committee members are the Director of Finance, the Director and the County Attorney. The County Executive, as an ex-officio member, serves as an arbitrator when necessary. The Bonding Committee is an advisory body for the purpose of reviewing all agreements, bonds, securities and deposits. The Bonding Committee also reviews and makes recommendations on all agreement extensions and bond reductions. The formal acceptance of the agreement is the execution by the County Executive or his designee on behalf of the Board.

**2-0602 Extensions and Replacement of Agreements, Reduction of Bonds or Securities**

2-0602.1 When a developer enters into an agreement with the County, it is understood that all the necessary physical improvements must be completed by a specific date.

2-0602.1A If the improvements are not completed within this period, and an extension of the agreement has not been obtained, the agreement shall be considered to be in default.

2-0602.1B If necessary, 60 days prior to the expiration date of the agreement, a letter is sent cautioning the developer that unless the work is completed by the expiration date of the agreement, he shall be in default.

2-0602.2 The developer may make a formal request to the Director for an extension of the agreement expiration date.

2-0602.2A The developer must indicate the reasons and conditions which have inhibited him from completing the required physical improvements.

2-0602.2B The developer must have all sureties consent to the extension request. All signatures must be notarized.

2-0602.2C The first extension request, for a period not to exceed six months, can be approved by the County Executive. If subsequent or longer extensions are required, the extension request may be approved by the Board. The developer must demonstrate that the extension would be in the best interests of the County.

2-0602.2D Each extension shall be subject to the Extension Fee (§ 2-1000).

2-0602.3 (50-95-PFM) The developer may make a written request to the Director, on forms provided by the County, for periodic partial releases upon completion of at least 30 percent of the work covered by the bond; provided however, the face amount of the bond after partial release shall never be less than 10 percent of the amount for which the original bond was taken, as established by the original bond estimate, or the cost to complete the improvements, whichever is greater. Said partial releases may be permitted no more than three times within any 12-month period.

2-0602.3A (95-06-PFM) If the developer has not met all the previous land development obligations in accordance with all development agreements with Fairfax County as determined by the Director for the previous seven years prior to the written request for partial release, the face amount of the bond after partial release shall never be less than 20 percent of the amount for which the original bond was taken, as established by the original bond estimate, or the cost to complete the improvements, whichever is greater. Said partial releases may be permitted no more than three times within any 12-month period.

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2-0602.3B (95-06-PFM) The reduced bond amount shall be estimated by the Director based upon the percentage complete of the bonded items. A new bond package is then prepared and forwarded to the developer.

2-0602.3C (95-06-PFM) Reduction of corporate surety by rider is acceptable. A letter of credit can be reduced by a letter from the issuing institution amending the original letter of credit, subject to all terms and conditions of the original letter.

2-0602.3D (95-06-PFM) Each reduction shall be subject to the Reduction Fee (§ 2-1000).

2-0602.4 A request for reduction can be processed separately, with an extension request, or as a replacement bond.

2-0602.5 Where appropriate, the developer may make an application for a replacement agreement and bond.

2-0602.5A The replacement bond is handled in the same manner as the original agreement and bond. The original agreement and bond can be released when the new agreement and bond have been approved.

2-0602.5B Each replacement bond shall be subject to the Replacement Fee (§ 2-1000).

2-0602.6 Where developers have requested an extension, a reduction, or a replacement agreement and bond, the Bonding Committee shall review the County inspector's report on the project and the reasons supplied by the developer.

2-0602.6A The factors that are considered by the Bonding Committee include the following:

2-0602.6A(1) Percent of project completed;

2-0602.6A(2) Complaints lodged against the developer, if any;

2-0602.6A(3) Number of homes already completed, occupied, and served by public facilities;

2-0602.6A(4) Rate of construction activity;

2-0602.6A(5) Developer's history in the County; and

2-0602.6A(6) Market conditions and developer's ability to sell homes to provide cash flow.

2-0602.6B Following this review, the Bonding Committee makes its recommendation to the County Executive/Board.

**2-0603 Final Bond and Agreement Release (50-95-PFM)**

2-0603.1 Upon completion of all physical improvements shown on the approved plan, whether on-site or off-site, including acceptance of streets and other improvements in any dedicated right-of-way, the developer may initiate the release of his bond and agreement by requesting a final inspection by the Site Inspector, Site Development and Inspections Division, DPWES. The Site Inspector will issue a final inspection report, provided that all physical improvements covered by the agreement have been completed.

2-0603.2 Prior to submitting an application for final release to Bonds & Agreements, DPWES, the developer shall, on the forms provided by the County, obtain acceptance of other governmental agencies to ensure that the following requirements have been met:

2-0603.2A All appropriate code enforcement complaints for bond-related items are resolved.

2-0603.2B All sanitary sewer lines and as-built plans have been accepted.

2-0603.2C All applicable engineering review and inspection fees have been paid.

2-0603.2D All contributions for off-site drainage improvements have been paid.

2-0603.2E All required as-built plans have been approved.

2-0603.2F The agency supplying water to the site has given final approval of and accepted the water mains and appurtenances.

2-0603.3 Upon acceptance of the developer's application for final bond release, but before release, Bonds & Agreements shall ensure that:

2-0603.3A The developer has obtained all necessary approvals by governmental agencies.

2-0603.3B All fees required for street light installation have been paid.

2-0603.3C All required violation/stop work order inspection fees have been paid.

2-0603.4 After all the above reviews, where appropriate, have been performed and approved by the reviewing agencies, the Director will authorize the release of the agreement and bond.

**2-0604 Default Procedures**

2-0604.1 If the developer does not complete the required improvements by the date as specified in the agreement, the agreement is in default.

2-0604.1A Thirty days prior to the default of the agreement, the Director may notify the developer and the surety/security that the agreement is about to be in default.

2-0604.1B However, after the agreement is in default, the surety shall be notified of the default and within 45 days after receipt of the notice, the surety must advise the Director of the plans for completion, or legal action may be instituted.

2-0604.2 The County Attorney and the Director shall evaluate the response of the surety and determine the appropriate action.

### **2-0605 Debarment of Surety**

2-0605.1 General. Any person, company, association or other legal entity otherwise qualified to act as surety for any performance bond may nevertheless be debarred from acting in such a capacity on surety agreements for the benefit of the Board to protect the public. Such debarment shall be in accordance with the provisions of this Section.

#### 2-0605.2 Debarment Procedure

2-0605.2A Bonding Committee Authority. In accordance with § 2-0605.2C and § 2-0605.2D, the Bonding Committee (as established by the PFM) shall have the authority to debar for cause, any person, company, association or other legal entity from acting as Surety on contracts where the Board is the obligee. The determination of the Bonding Committee to debar a Surety shall be made by majority vote of the members of the Bonding Committee.

2-0605.2B Bonding Committee Notice. Upon debarment by the Bonding Committee, any person, company, association or other legal entity debarred as a Surety in the County shall be notified in writing by the Bonding Committee or its designee. The Notice of Debarment shall be made by certified mail and state the reasons for the actions taken and the decision shall be final unless the Surety appeals within 30 days of receipt of the notice by giving written notice of its desire to invoke the debarment appeals procedures to the Board as set forth in § 2-0605 *et seq.*

2-0605.2C Cause for Debarment. Cause for debarment may consist of, but is not limited to the following findings:

2-0605.2C(1) The Surety files for bankruptcy or reorganization in the bankruptcy court system or becomes insolvent or bankrupt or makes an assignment for the benefit of creditors or consents to the appointment of a trustee or receiver, or either a trustee or receiver is appointed for the Surety or for a substantial part of its property without its consent;

2-0605.2C(2) The Surety is in default according to certification by the Director on one or more surety contracts to which the Board is the obligee, and the Surety fails to give reasonable assurances that it will discharge its obligations under the contract, or fails to respond to notification or inquiries, or fails to send representatives to default conferences, or fails to

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discharge its obligations in good faith by making reasonable settlement offers after liability is reasonably clear, or otherwise fails to follow through on agreements with the County regarding agreements in default;

2-0605.2C(3) Any managing or policy-making officer of the Surety, acting in the course of his employment or on behalf of the Surety, is convicted under State or Federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, fraud, or any offense indicating a lack of business integrity or business honesty which substantially affects the Surety's responsibility/reliability as surety for performance of duties owed to the County;

2-0605.2C(4) The Surety is in default on one or more identical or substantially similar bond agreements with any other political subdivision of the State;

2-0605.2C(5) Any other cause exists which the Bonding Committee determines to be so serious and compelling as to affect responsibility as Surety, such as debarment by another governmental entity for any cause listed herein, or because of prior suspensions or reprimands.

2-0605.2D Effect of Debarment. If cause exists, the Bonding Committee may bar the person, company association, or legal entity from acting as Surety on any and all County surety contracts for a period of up to five years. The Bonding Committee is not obligated to impose the maximum period of debarment. The Bonding Committee may take into consideration any mitigating circumstances and other factors which may justify the imposition of less than the maximum time of debarment. Further, the Bonding Committee may establish such terms and conditions as the Bonding Committee deems appropriate in connection with the acceptance of that Surety's contracts. The decision of the Bonding Committee, if any appeal is taken, shall be in writing and include reasons substantiating the decision.

2-0605.2E Procedure for Appeal of Debarment. The appeals hearing for debarment shall be conducted by the Board, who shall make its findings of fact. The Surety shall be given the opportunity to be heard, submit documentary evidence, and present witnesses. The hearing shall be conducted as follows:

2-0605.2E(1) The Bonding Committee, or its designee should make its presentation first.

2-0605.2E(2) The Surety will then be afforded the opportunity to present its case.

2-0605.2E(3) The Bonding Committee will have the opportunity to rebut.

2-0605.2E(4) The Board may ask questions and request additional information from the Bonding Committee, the Bonding Committee's designees, staff or the Surety.

2-0605.2E(5) Based on these findings, the Board may sustain, dismiss or modify the debarment decision of the Bonding Committee.

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2-0605.2F Board Notice. Notice of the decision of the Board for disposition of an appeal shall be by certified mail to the Surety and the Bonding Committee or their designees. The Clerk to the Board shall be responsible for providing such notice.

2-0605.2G Any appeal of the action of the Board shall be to the Circuit Court of Fairfax County, following the provisions of Va. Code § 15.1-550, *et seq.*, as amended, and all other statutory requirements.

**2-0700 CONSERVATION AGREEMENT AND DEPOSIT**

**2-0701 General Requirements**

2-0701.1 The approval of subdivision and site plans shall include a requirement for a conservation agreement, with cash deposit, which shall assure the County that measures can be taken by the County at the developer's expense if conservation measures are not properly installed or maintained within such period as determined by the Director.

2-0701.2 The final plan is subject to approval only after the agreement has been signed.

**2-0702 Procedures and Guidelines** (26-88-PFM). The Director shall utilize the procedure set forth in this Section in the administration of the required conservation deposits.

**2-0702.1 Execution of Conservation Agreements**

2-0702.1A (38-93-PFM) Applicability. Homebuilders of one or more units on lots in either bonded or unbonded subdivisions, may be permitted to execute conservation agreements for either a portion of or all of a particular grading plan. However, conservation agreements and escrow deposits must be posted for all the lots approved on a grading plan before that plan can be released. If a portion of a grading plan is covered by a conservation agreement, those lots covered shall be identified by lot number. The number of lots grouped in each separate agreement may be as few or as many as desired by the builder, however, all lots included in any one agreement must be released before any funds under that agreement may be released.

2-0702.1B Conservation Agreement and Deposit Transfer. Funds deposited for previous conservation agreements may be transferred to later conservation agreements when all lots covered by the original agreement are released; however, a new agreement for each lot or group of lots shall be required.

**2-0702.2 Conservation Agreement and Deposit Release**

2-0702.2A Subdividers Who Are Not Homebuilders. If the subdivider is not applying for building permits, the deposit may be released upon satisfactory completion of all of the improvements shown on the subdivision construction plans even though the homebuilders to whom lots were sold may still have units under construction.

2-0702.2B Subdividers Who Are Homebuilders. Deposits shall be retained until the "on-lot" work has been completed as well as the subdivision construction plan work.

**2-0800 PERMITS**

**2-0801 General Information.** Permits are generally required to perform construction related to or incidental to new structures and facilities and/or additions and modifications to existing structures and facilities.

**2-0802 VDOT Permits**

2-0802.1 Required permits are issued by VDOT and the Director on all subdivisions and site developments for which the streets have been accepted into the VDOT system for maintenance.

2-0802.2 Permits shall be obtained from VDOT before any work can be performed on property under the jurisdiction of VDOT.

2-0802.3 (38-93-PFM) For subdivisions and site developments, four copies of the plans approved by the Director shall be certified “entrance correct” by the Director prior to any permits being issued by VDOT.

2-0802.4 Applicants for this permit shall post a performance bond or cash guarantee with VDOT for the work involved.

**2-0803 County Permits**

2-0803.1 (61-98-PFM) For rights-of-way or streets which have not been accepted into the VDOT system for maintenance, permits shall be obtained from the Director prior to the construction of any road, sidewalk, curb and gutter, drainage system, sanitary sewer system or any public utility within the boundaries of an easement, dedication, or a proposed dedication for public use. The Director may impose conditions to any permit to ensure proper construction and safe use of the rights-of-way or land. In accordance with Chapter 2 (Property Under County Control) of the Code, all work and construction must be in conformance with adopted standards and specifications. However, the construction of driveways and similar improvements, serving no more than three properties abutting the right-of-way or street, may be permitted. Such construction may be approved when it will not interfere with the ultimate construction in accordance with adopted standards. The applicant shall acknowledge in writing, in appropriate form for recordation, that the less than standard improvements are temporary and that neither the County nor the State will be responsible for these improvements.

2-0803.2 An application for the permits set forth in § 2-0803.1 shall be submitted prior to the approval of detailed plans. An application for a clearing and grading permit shall be submitted with detailed plans.

2-0803.3 Permits shall be issued subsequent to approval of such detailed plans by the Director.

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2-0803.4 Before a permit is issued for the construction of any gas, electric power, telephone or water facilities, the applicant for a permit shall post a performance bond or cash guarantee with the Director for the work involved.

2-0803.5 All County permit applications shall be filed with the Director.

## **2-0900 VIOLATIONS PROCEDURES**

### **2-0901 General Procedure**

2-0901.1 When an inspector determines that a violation has occurred under the terms of the Code chapters which the Director is responsible to enforce, or under the terms of any permit issued thereunder, he shall verbally notify the person in charge and specify what is required to correct the deficiency.

2-0901.2 If the violation is not corrected in the time specified, the Director shall immediately serve a notice of violation upon either the permittee or his agent in person or by registered or certified mail.

2-0901.3 Such notice shall set forth the measures which must be completed in order to comply with the Code or the terms of the permit, and shall specify a date by which such measures must be completed.

2-0901.4 When the violation is not corrected by the specified date, the Director may take one or more of the following actions:

2-0901.4A Request the Commonwealth's Attorney to prosecute for conviction and fine or imprisonment pursuant to the appropriate statute;

2-0901.4B Authorize the use of the conservation deposit if the violation is covered by the agreement;

2-0901.4C Request the County Attorney to obtain an injunction to cease a continuing violation;

2-0901.4D Revoke the permit;

2-0901.4E Issue a stop work order for that portion of the work; and/or

2-0901.4F Request DPWES to perform emergency corrective work after approval of the County Executive and County Attorney.

**2-0902 Violation Categories.** Violations normally fall into one of three categories. The steps to be followed in each circumstance are listed below.

2-0902.1 Type I Violation – This is the most common type and is a simple non-compliance with plan or Code.

2-0902.1A Give verbal notification of violation.

2-0902.1B Issue written violation.

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2-0902.1C Request Commonwealth's Attorney to proceed with prosecution to gain conviction and assess penalty.

2-0902.2 Type II Violation – The continuation of this type of violation will cause irreparable damage.

2-0902.2A Give verbal notification of violation.

2-0902.2B Issue written violation.

2-0902.2C Authorize use of conservation deposit if applicable.

2-0902.2D Request the County attorney to obtain an injunction to cease a continuing violation.

2-0902.2E Revoke permit.

2-0902.3 Type III Violation – The continuation of this type of violation would constitute a health or safety hazard.

2-0902.3A Give verbal notification of violation.

2-0902.3B Issue written violation.

2-0902.3C Request DPWES to perform emergency work.

2-0902.3D Request County Attorney to obtain an injunction to cease a continuing violation.

2-0902.4 It is recognized that circumstances may dictate a different order of procedure in some cases. Also, the written violation may follow the verbal notification almost immediately if the person notified indicated a refusal to comply.

**2-0903 Code Authorizations**

2-0903.1 The list of Code Authorizations for the various sections of the PFM is included in Table 2.1.

2-0903.2 Normal court action would be under one of these Code Sections and would be a criminal charge.

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**Table 2.1 Code Authorization For Public Facilities Manual**

PFM SECTION	SUBJECT	CODE REFERENCE
2-0101	Subdivision Names	101-2-2(1)
2-0102	Lot Frontage and Layout	101-2-2, 101-2-5
2-0103	Pipestem Lots	§ 2-406, ZO
2-0104	Deleted	-
2-0105	Monuments	101-2-2(15)
2-0106	Open Space	101-2-2(14)
2-0107	Topography	101-2-3(c)(8)
2-0108	E&S Control and Soil Removal	104 & 101-2-2(17), & § 2-600, ZO
2-0109	Soils Information	101-2-2(16), 104, 107 & § 17-106, ZO
2-0110	Large Lot Subdivisions	104, 107, & § 2-600, ZO
2-0111	Tree Conservation Requirements	101-2-2(21)
2-0201	Plat and Plan Size and Scale	101-2-3(c), 101-2-5(c), & 107, § 17-106, ZO
2-0202	Submission of Subdivision and Site Plans	101-2-3, 101-2-4, 101-2-5, & Article 17, ZO
2-0203	Clearing and Grading Requirements	104 & § 2-600 & 8-100, ZO
2-0212	General Required Information on Plans and Profiles	101-2-3, 101-2-5, & 17-106, ZO
2-0400	Utilities	101-2-2(8), 17-201
2-0501	Improvements	101-2-2(7) & § 17-200, ZO
2-0502	Inspections	104-1-5, 17-202
2-0600	Bonds and Agreements	101-2-5(d), & § 17-112, ZO
2-0900	Violations Procedures	101-1-12, 101-1-4, & 104-1-12
2-1000	Fee Schedule	Chapters 2, 101, 104, 112 (ZO)

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**Table 2.1 Code Authorization For Public Facilities Manual**

<b>PFM SECTION</b>	<b>SUBJECT</b>	<b>CODE REFERENCE</b>
3-0000	Condominium Conversion Regulations	101-2-6
4-0000, 6-1605	Geotechnical Guidelines	101-2-2(16), 107, & § 17-105, ZO
5-0000	Debris Landfill	104 & § 9-200, ZO
6-0000	Storm Drainage	101-2-2(12) & (13), & § 2-602, 17-105 & 17-201, ZO
6-0200	Adequate Drainage	101-2-2(11) & (12), & § 17-105 & 17-201, ZO
6-0300	Detention of Stormwaters	101-2-2(12) & (13), & § 17-105 & 17-201, ZO
6-0400	Stormwater Runoff Quality Control Criteria	101-2-2(12) & (13), 118, & § 17-105 & 17-201, ZO
6-0500	Off-Site Drainage Improvements	101-2-2(12) & (13), & § 17-105 & 17-201, ZO
6-0600	Pro Rata Share	101-2-2(12) & (13), & § 2-604, ZO
6-0700, 6-1400	Floodplain	101-2-2(12) & (13), & § 2-602 & 2-900, ZO
6-0800	Hydrologic Design	101-2-2(12) & (13), & § 17-105, ZO
6-0900	Closed Conduit System	101-2-2(12), & § 17-105, ZO
6-1000	Open Channels	101-2-2(12) & (13), & § 17-105, ZO
6-1100	Storm Sewer Appurtenances	101-2-2(12) & (13), & § 17-105, ZO
6-1200	Culverts	101-2-2(12) & (13), & § 17-105, ZO
6-1300	Retention and Detention and Low Impact Development Facilities	101-2-2(12) & (13), & § 17-105, ZO
6-1500	On-Site Major Storm Drainage System	101-2-2(12) & (13), & § 17-105, ZO
6-1700	Policy on What May Be Done in Chesapeake Bay Preservation Areas	118
7-0000	Streets, Parking and Driveways	101-2-2(3) & (10), & § 17-105 & 17-201, ZO
7-0101	Street Design	101-2-2(3), & § 2-308 & 2-309, ZO
7-0101, 2-0102	Cluster Subdivisions	101-2-8
7-0106	Noise Abatement Facilities	101-2-2(11), & § 1-200, 7-401, 8-901, 10-104, 14-700, & 20-300, ZO

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**Table 2.1 Code Authorization For Public Facilities Manual**

PFM SECTION	SUBJECT	CODE REFERENCE
7-0107	Street Signs	101-2-2(3), & § 12-103.2A, ZO, 17-201
7-0200	Preliminary Street Planning	101-2-2(7), & § 2-308 & 2-309, ZO
7-0404	Proposed Street Construction/Plan and Profile Preparation	101-2-2(3), (5), (10), & (11), & § 17-201, ZO
7-0500	Pavement Design	101-2-2(3) & (11)
7-0800	Parking Geometrics and Standards	§ 11-102, ZO 17-201, ZO
7-0900	Common/Pipestem Driveways	§ 2-406, ZO
7-1000	Street Lights	101-2-2(20)
8-0100	Sidewalks	101-2-2(10), 17-201 ZO
8-0200	Trails	101-2-2(10), 17-201, ZO
9-0100	Public Water Supply	101-2-2(6) & (7), 17-201, ZO
9-0101	Water Well	65-6-6, 65-6-8
10-0100	Sanitary Sewer Design Criteria	Chapter 65, & § 2-104, 2-503, 2-503, 9-101 & 14-600, ZO, 17-201, ZO, 101-2-2(6), 101-2-2(7)
10-0300	Solid Waste and Recycling	109.1
11-0000	Erosion and Sediment Control	101-2-2(17), 104, & § 2-600, ZO, 17-201, ZO
12-0000	Tree Conservation	101-2-2(18), 104, 122, 17-201, ZO & Article 13, ZO

**2-1000 FEE SCHEDULE**

**2-1001 Subdivision and Site Plan Fees**

2-1001.1 Incorporated by reference are the subdivision and site plan fees which are defined in Chapters 2 (Property Under County Control), 101 (Subdivision Provisions), 104 (Erosion and Sedimentation Control) and 112 (Zoning Ordinance) of the County Code.

**2-1100 PUBLIC PARKLAND DEVELOPMENT CONDITIONS**

**2-1101 Provisions**

2-1101.1 Purpose: This part establishes requirements and provides guidance for design and construction activities on existing and proposed FCPA property.

2-1101.2 Policy: It is the policy of FCPA to acquire, plan, develop, maintain and protect a park and recreation facility system that contributes to the quality of life and preserves the physical, natural and cultural heritage of the County for the enjoyment and education of its citizens.

2-1101.3 General Requirements:

2-1101.3A With the exception of DPWES or other County agencies, any construction activity affecting existing parkland, land that is proposed to be conveyed to open space to be dedicated to FCPA by a proffer accepted as a result of rezoning, cluster subdivision, conditions of special exception or special permit approval, or when the Director requires 10 percent of subdivided land to be dedicated for open space and recreational purposes as per § 2-0106, shall be implemented in accordance with requirements of § 2-1100 *et seq.*

2-1101.3B Any construction activity affecting existing or proposed FCPA land shall be in accordance with § 2-1100 *et seq.*

2-1101.3C FCPA may consider requests to waive provisions of § 2-1100 *et seq.* If , after review by FCPA staff, such requests are deemed not to be in conflict with established policies or procedures, the FCPA Director may grant requested waivers.

**2-1102 Requirements for Land that is Proposed to be Conveyed to FCPA**

**2-1102.1 Subdivision and Site Plans**

2-1102.1A Two copies of all subdivision and site plans shall be submitted to Land Development Services, DPWES, for concurrent review by FCPA.

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2-1102.1B In general, subdivision and site plans shall be designed in such a manner that the proposed construction will not extend beyond the limits of the proposed development and into land to be conveyed or dedicated to FCPA, unless otherwise indicated on the approved plans.

2-1102.1C All proposed and existing easements on property to be conveyed to FCPA shall be shown on subdivision and site plans submitted to DPWES. Also, the following wording shall appear on the cover sheets and all sheets which display proposed FCPA property:

“Before entry, construction or maintenance activity on Fairfax County Park Authority property, the developer must submit to the Fairfax County Park Authority a written notice of intent.”

2-1102.1D Any easement to be conveyed or recorded subsequent to the approval of any plats, plans or profiles, on those developments that contain parcels to be dedicated to FCPA, shall be reviewed and appraised by FCPA during review of subdivision and site plans.

### 2-1102.2 Easements

2-1102.2A Types of easements include but are not limited to storm, sewer, underground or overhead utilities, ingress/egress, public access (including trails and sidewalks), maintenance, conservation, and construction easements.

2-1102.2B FCPA written approval shall be obtained prior to initiation of construction. This will ensure compliance with development proffers and conditions or FCPA requirements.

2-1102.2C All easements, created by a recorded instrument conveying land to FCPA, shall be subject to the Provisions of FCPA Policy 301 – Easements – in force at the time of conveyance.

2-1102.3 Monumentation and Record Plats. Monumentation shall be placed at all property corners as well as points of angles and curvatures in the perimeter of the parcel, prior to bond release. In sensitive areas, FCPA may require staking.

### 2-1102.4 Acceptance of Property

2-1102.4A Final acceptance of property by FCPA will depend on the state of the land, if in a satisfactory condition, or a condition comparable to the one that pertained at the time of proffer request, special exception, rezoning, or preliminary plat approval.

2-1102.4B As part of its Pre-Dedication Acceptance Process, and in accordance with Va. Code, § 15.1-1232.3, as amended, FCPA (see § 2-1102.4A), should the site be found disturbed or disrupted (i.e., erosion from construction activities, or debris, on the site), the conveyor shall be required to take corrective actions, as outlined by FCPA, prior to FCPA assuming title. FCPA should be contacted for information about this process.

2-1102.5 Stormwater Management Areas and Facilities

2-1102.5A Sediment and stormwater detention ponds and basins shall not be placed on land being conveyed to FCPA unless so indicated on the approved plan.

2-1102.5B In order for the owner/developer to justify the necessity of placing stormwater management areas and facilities on future parkland instead of other locations within the proposed development, he must show extreme hardship, caused by topography, soil or other conditions, before FCPA considers approval of the site.

2-1102.5C If placement of stormwater management areas and facilities on future parkland is deemed necessary and it is approved by FCPA, an easement or private maintenance agreement shall be prepared stating who will be responsible for maintenance of and liability over the facility. This easement or private maintenance agreement shall be included in the submitted plans and profiles and it shall be recorded.

**2-1103 Requirement for Easements or Construction Activity on FCPA Property**

2-1103.1 All easements on land conveyed to FCPA, or proposed for FCPA ownership, are subject to the provisions of FCPA Policy 301 – Easements.

**2-1104 Requirements for Trails and Other Facilities on FCPA Land**

2-1104.1 Trails constructed and placed on FCPA land or property to be conveyed to FCPA, are subject to § 8-0200 et seq.

2-1104.2 Recreation facilities placed on land to be conveyed to FCPA or on land owned by FCPA shall be built to FCPA specifications and in accordance with PFM, § 2-0106, § 2-0209, § 8-0300 et seq. and Plates 18-8 thru 44-8. Placement of recreation facilities shall be as approved by FCPA during the plan review process and field location prior to construction.

**2-1200 TYSONS CORNER URBAN CENTER (112-13-PFM)**

2-1200.1 Urban design guidelines and streetscape standards in the Tysons Corner Urban Center, as designated in the adopted Comprehensive Plan, including but not limited to street lights, landscaping, utilities, drainage and stormwater management, may differ from the requirements set forth in the PFM based upon the unique characteristics of the urban environment. Alternatives shall be listed on the plan for consideration by the Director in circumstances where strict application of the PFM standard can not be met for a particular site and where new or creative urban designs are proposed. Alternatives, when approved by the Director, shall be subject to the following criteria:

2-1200.1A Alternatives shall be in substantial conformance with the development plans and associated proffers and conditions; or approved Special Exception or approved Special Permit Plat; and

2-1200.1B Alternatives shall be consistent with any specific urban design guidelines and streetscape plans for the area; and

2-1200.1C Full details and supporting data shall be provided on the plan including design computations, material specifications, technical details, structural calculations, procedures for installation, inspection and/or testing, and procedures for operation and maintenance; and

2-1200.1D A detailed description shall be provided of the applicable provisions of the PFM and why they cannot be met, and the rationale to demonstrate that all criteria set forth in 1A – 1H have been met; and

2-1200.1E Any decision to approve an alternative shall take into consideration possible impacts on public safety, the environment, aesthetics and the burden placed on prospective owners for maintenance of any facility; and

2-1200.1F Reasonable and appropriate conditions may be imposed as deemed appropriate by the Director; and

2-1200.1G Any alternative shall comply with specific requirements set forth in the United States Code, Virginia Code, and County Code, and all other applicable regulations, resolutions and policies, as well as specific standards of VDOT and requirements of other reviewing agencies, such as the water utilities, from which variances may not be granted at the local level.

2-1200.1H Notwithstanding the foregoing, where a PFM provision requires Board of Supervisors' approval of a waiver or modification of its terms, the Director shall have no authority to approve an alternative absent Board approval.

2-1200.2 Acting on a specific request by the developer, urban design and streetscape standards may be considered by the Director within by-right development proposals lying within the Tysons

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Corner Urban Center in accordance with 2-1200.1 and subject to the criteria set forth in 2-1200.1B through 2-1200.1H.

**2-1300 AS-BUILT DRAWINGS (119-15-PFM)**

2-1301 Submission Requirements and Certifications

2-1301.1 As-built drawings shall be prepared in accordance with Article 17 of the Zoning Ordinance, and the Subdivision Ordinance, § 101-2-5 of the Code. When required, an as-built plan prepared by a professional engineer or land surveyor licensed in the Commonwealth of Virginia shall include:

A. Dimensions and Elevations Survey. The as-built drawings shall show actual elevations alongside planned elevations as required by § 2-1302. As-built information shall be shown [boxed in] for comparison to the design information. All existing plans to be modified for use as the as-built plan shall be redrafted where necessary so that the information is accurate and readable.

B. Certification Statement and Seal.

Each as-built plan shall have an Engineer's or Surveyor's statement and seal. Except for Category D dams, the certification of all geotechnical work will be by the geotechnical engineer of record. The certification shall state as follows:

(i) In accordance with Article 17 of the Zoning Ordinance, and the Subdivision Ordinance, § 101-2-5 of the Code, and the Public Facilities Manual, I, (submitting engineer/surveyor's name), do hereby certify that this as-built conforms to the approved plans, except as shown, which represents actual conditions on this site as of this date.

\_\_\_\_\_  
(submitting engineer/surveyor's signature/date) (seal)

(ii) I have reviewed the as-built plan and hereby certify that the geotechnical aspects of the embankment dam/pond were constructed in accordance with the approved plans, except as indicated below, which represents the actual conditions of the dam on this site as of this date.

\_\_\_\_\_  
(geotechnical engineer's signature/date) (seal)

(iii) All storm/sanitary structures fall within their respective easements and all dedications and all off-site easements are recorded in DB \_\_\_\_, at PG \_\_\_\_.

C. Copies of the licensed professional's certification that the stormwater and best management facility was constructed in accordance with the approved plans and specifications, along with copies of all material delivery tickets, certifications from the material suppliers and results of tests and inspections required under § 6-1300 *et seq.* shall be submitted with or incorporated in the as-built plan. For documenting construction, checklists specific to the type of stormwater and best management facilities being constructed, as approved by the Director, shall be used. If readily

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available, an electronic file of the professional's certification and related documentation shall also be submitted, in an acceptable electronic industry standard CADD file format (such as a .dwg) or in a standard scanned and readable format.

2-1302 Information Required on the As-Built Drawing. The record drawing shall include, at a minimum, the following information:

A. Boundary of the site as shown on the final plat of record. The as-built plan shall show any geodetic reference points located on the site.

B. The area of the site as shown on the approved site plan and subsequent to any fee simple dedications to Fairfax County, State of Virginia or the Virginia Department of Transportation, and the land area of such dedications. As shown on the approved building plans, the total gross floor area and the number of dwelling units, if applicable.

C. Location of all buildings on the approved site plan showing the yard dimensions and all official building numbers (and/or addresses) posted.

D. Locations of all storm sewers, sanitary sewers mains, fire hydrants, and associated easements including all waterline easements. For storm and sanitary sewers, the pipe materials based on visual inspection only, sizes, lengths, upper and lower invert elevations, and percent grade of pipe as computed. The structure number, type, size/configuration, top elevation, type and size of any outlet protection, and latitude and longitude (in degrees, minutes, and seconds to the nearest 15 seconds) shall be provided on all structures and outfalls. Latitude and longitude of the approximate center and a major appurtenance of BMPs shall be provided in decimal degrees to 6 decimal places. For all projects on the Virginia coordinate system, coordinates of all structures and outfalls shall also be provided in a digital, GIS compatible format, generally an industry standard CADD or Shape file, which can be incorporated directly in the County's overall GIS. The digital submittal should be delivered in CD/DVD format, be named to match the as-built plan hard copy, and include a map of the full project in PDF format. If the outfall area is inaccessible and an offset method cannot be performed, a note shall be made on the as-built plan about the conditions preventing the survey team from recording the position. (Refer to § 10-0104.6B for as-built requirements for sanitary facilities).

E. Ponds, including detention, retention and Best Management Practice (BMP) ponds, showing elevations of top of embankments, toes of embankments, weirs, spillways, drainage structures, low flow channels, access easements and capacities of such ponds. Capacities shall be shown both volumetrically and topographically with sufficient elevations to calculate the capacities.

F. Horizontal locations, widths and surface material of all designed trails included on the approved plan. Vertical location of any trail which exceeds an eight (8) percent grade (whether designed or not as an eight (8) percent grade) and shown on the approved plan. Elevations may be used in lieu of an as-built profile. Location of all designed pedestrian bridges and bus shelters

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included on the approved plan. As-built information showing bridge surface, length, number of abutments and bus pad size and material.

G. Deed book and page number(s) of the recordation in the land records of Fairfax County of dedications and easements reflected on the approved plan. The deed book and page numbers of all easements shall be shown on the applicable plan and profile sheet.

H. Locations of improved channels and swales in dedicated easements with spot elevations and slopes.

I. All utility locations within the subdivision as they are made readily available from the utility companies, owners and/or operators, except building and service connections, with the notation "from available records." Such plans and records shall be furnished by the appropriate utility companies, owners and/or operators.

J. Retaining walls requiring permits, indicating the type and showing the top elevations and the adjacent finished grades.

K. Number of parking and loading spaces.

L. Spot elevations of critical slope areas to determine grade of finished slope. Critical slopes consist of areas shown on the approved plan with gradients greater than 20% which contain Class III or Class IVA soils as defined in § 4-0200 *et seq.*

M. Information related to dams and impoundments as follows:

- (1) A profile (with spot elevations) of the top of dam
- (2) A cross-section (with spot elevations) of the emergency spillway at the control section
- (3) A profile (with spot elevations) along the centerline of the emergency spillway
- (4) A profile along the centerline of the principal spillway extending at least 100 feet downstream of the toe of the embankment
- (5) All structure tops, throats and invert elevations
- (6) All pipe, orifice and weir sizes and invert elevations
- (7) The elevation of the principal spillway crest
- (8) The elevation of the principal spillway conduit invert (inlet and outlet)
- (9) The elevation of the emergency spillway crest

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- (10) Spot elevations around the entire pond/dam adequate to depict the shape and size
- (11) Spot elevations along the top and crest of the dam width
- (12) Spot elevations through the drainage way to the riser structure
- (13) Notes and measurements to show that any special design features were met
- (14) Statement regarding seeding and fencing in place per the approved plan
- (15) Show all drainage and access easements for maintenance of the pond/dam and related facilities with Deed Book and Page Number.

N. Field observations and measurements of other areas having the potential to be critical, as depicted on the approved plans and profiles.