

302.25.2. Conservation area. Any parcel or area of undeveloped land within a cluster subdivision conserved in its undeveloped state for perpetuity via a conservation easement or through another binding commitment, intended for the recreational use of all residents of the cluster subdivision or the public in general, and containing only those structures necessary to the use for which the conservation area is preserved.

302.95.1. Parcel, parent. Any parcel of land as documented on a deed of record existing in the Amherst County Circuit Court on (adoption date of ordinance). The term “parcel” shall be synonymous with the term “lot”.

702. ~~Agricultural Residential~~ **Limited District A-1.**

*702.01. Intent of the Agricultural ~~Residential~~ **Limited District A-1.*** This district is designed to accommodate farming, forestry and limited residential use. While it is recognized that certain rural areas may logically be expected to develop residentially, it is the intent however to discourage the random scattering of residential, commercial or industrial uses in this district. **The A-1, Agricultural Limited District (“district”)** exists to protect, preserve and enhance important agricultural and forested lands, mountain areas, ridge tops, natural and scenic resources, critical wetlands and river basins, sensitive environmental areas, and other rural tracts of land within the County in accordance with the goals of the Comprehensive Plan.

The requirements governing the district reflects the County’s fundamental concern that residential growth occur in an orderly manner that is not injurious to the current practices of farming, the future viability of agriculture in the County, or the maintenance of a predominantly rural character and quality of life in the district. Residential development in the County appropriately should occur in designated Growth Areas as referenced in the Comprehensive Plan’s Future Land Use Map so that necessary services and infrastructure can be delivered in an efficient and cost effective manner. The County acknowledges, in light of the limited infrastructure in the district, that residences, subdivisions and other uses in the district incompatible with the density levels permitted in the district inevitably will benefit from a lower level of public service than is provided in the designated Growth Areas.

702.023. Permitted uses. Within the A-1 district, the following uses are permitted:

1. Agriculture and forestry operations; crop production, livestock production, except no confinement facility may be closer than one thousand (1,000) feet to a property line; sale of agricultural and forestall products grown in the county.
2. Temporary sawmills, only for timber on-site or proximate to site.
3. Single-family dwellings that are built in accordance with the statewide building code.
4. Manufactured homes as provided in Section 908.
5. Accessory structures.
6. Emergency services.
7. Home occupations.
8. Reserved.

9. Camping for less than four (4) consecutive weeks in portable facilities; i.e. tent or camper or per Section 904.
10. Utilities that are for the purpose of serving the community, not merely for transferring the utility through the community; including but not limited to sewer, water, gas, electricity, cable television, telephone.
11. Bed and breakfast lodging.
12. Public streets.
13. Confined livestock facilities subject to the following conditions:
 - a. Located more than one thousand five hundred (1,500) feet from any house not on the property owned by the applicant;
 - b. Located more than two thousand five hundred (2,500) feet from a public place such as a school or church;
 - c. Located more than one thousand (1,000) feet from a perennial stream as indicated on the 7.5 minute U.S.G.S. topographic survey maps;
 - d. Located more than one thousand (1,000) feet from a state maintained road;
 - e. A maximum of two hundred fifty (250) animal units may be confined per fifty (50) acres of contiguous property;
 - f. The CLF must be approved by all necessary state agencies prior to county approval;
 - g. The applicant for all permits must be a county resident and the property owner;
 - h. It cannot be visible from a state maintained road;
 - i. A zoning permit must be issued prior to any development of the CLF.
14. Flag lot.
15. Wireless communication facilities as provided in Section 914 herein.
- 16. Cluster subdivisions as provided in section 1301.05, pursuant to Section 919.**
- 17. Sliding scale subdivisions pursuant to Section 801a, table 1.**

702.03. Special exceptions (A-I zone).

1. Public entertainment.
2. Schools.
3. Saw mills.
4. Pallet manufacturing.
5. Wood yards.
6. Feed mills.
7. Truck business.
8. Churches and related facilities.
9. Signs as provided in Section 907.
10. Planned unit developments.
11. Short-term tourist rental of dwelling.
12. Machinery sales and service.
13. Storage of biosolids as provided in Section 917.
14. Mineral extraction per Section 910.
15. Small wind energy systems as provided in Section 918.
16. Substance abuse treatment facility.

17. Off-site directional signs, per Section 907.04(2)(b).

18. Sliding scale subdivision using density bonus pursuant to Section 801a, table 3.

703. Limited Residential District R-1.

703.01. Intent of Limited Residential District R-1. This district is composed of certain quiet, relatively low-density single-family residential areas plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district. To that end, development is limited to single unit dwellings plus certain low impact uses that serve the individual households of the district.

703.02. Permitted uses. Within the Limited Residential District R-1 the following uses are permitted:

1. Single-family dwellings that are built in accordance with the Virginia Statewide Building Code.
2. Accessory structures.
3. Home occupations, so long as the following criteria are met, are permitted: no outside storage, no signage, no employees or customers may come to the property, no increase in neighborhood traffic or change in type of traffic may occur.
4. Utilities that are for the purpose of serving the community, not merely for transferring the utility through the community; including but not limited to sewer, water, gas, electricity, cable television, telephone.
5. Public streets.
6. Wireless communication facilities in which an antenna array and supporting equipment are placed on an existing electrical utility tower or radio tower, provided that the requirements of Section 914 are met.

7. Cluster subdivisions as provided in section 1301.05. pursuant to Section 919.

801. Minimum lot area and lot width.

801.01. Residential Uses. Within districts permitting single-, two-family and multi-family residential uses, the following minimum lot areas and minimum lot widths shall apply:

801a. *Sliding Scale Subdivisions' Division Rights*

A. *Lots and Subdivisions* (Recommendation from Planning Commission) Lots and subdivisions developed in the A-1 Agricultural Limited District shall conform to the following requirements:

- a. The total number of allowable lots shall be determined by applying sliding scale as shown in Section 801a, table 1.
- b. The minimum lot size shall be three (3) acres.
- c. If a parcel is rezoned, the provisions outlined in the sliding scale shall not apply to the rezoned parcel.
- d. If the parcel is divided in accordance with the sliding scale division rights pursuant to subsection B, that parcel shall not be eligible for rezoning for a period of ten (10) years following the date deeds to the divided parcels are recorded, except that this restriction shall not

- apply to parcels located within the designated Growth Area in the Comprehensive Plan's Future Land Use Map.
- e. If the parcel is divided in accordance with the cluster subdivision criteria contained in section 919, it shall not be divided further.
 - f. Family divisions, as defined in section 1207.01, shall not be counted for purposes of calculating density pursuant to this section.
 - g. The requirements of this section shall not apply to Planned Unit Developments (PUD), as defined in section 911.
- B. Any residential development in the A-1 Agricultural Limited District shall conform to the following density requirements, except as provided in subsection C.
- a. Any parent parcel shall have established division rights based on that parcel's acreage as specified in Table 1 in this section. Such division rights may be applied so as to consume the parent parcel, or so as to leave the parent parcel as its own lot, in addition to the lots created through the permitted division rights. Any such remaining lot shall not be eligible for further division.
 - b. Any applicable density bonus permitting a density higher than that permitted by the division rights in Table 1 shall be determined using the density bonus calculations contained in table 2 and table 3.
 - i. The density bonus criteria in Table 2 may be used to increase the number of permitted lots identified in Table 1.
 - ii. Table 3 identifies the maximum number of permitted lots if the proposed development incorporates 100 percent of the density bonus criteria.
 - iii. If the proposed development incorporates a lower percentage of the density bonus criteria, that percentage is applied to the maximum permitted lots identified in Table 1 to determine the additional lots permitted through the density bonus criteria. If the total number of lots so calculated includes a fraction of a lot, the number of lots shall be rounded down to the next figure.
- C. The calculations to determine applicable density may be performed in accordance with the instructions contained in Appendix 1.
- D. A family division shall not be considered a division under this section. The plat identifying the family division shall, however, contain a lot assignment table substantially in the form of Figure 1 showing how the division rights associated with the parent parcel are to be allocated among the lots created by the family division. Any such lot assignment table shall contain the acreage and lot assignment figures for "New lot as shown" for each lot created by a given family division.

TABLE INSET:

TABLE 1- Sliding Scale: Division rights in the A-1 Agricultural Limited District

Parcel Acreage	# Lots		Parcel Acreage	# Lots
6 to 12	2		96.01-108	10
12.01-24	3		108.01-120	11
24.01-36	4		120.01-132	12
36.01-48	5		132.01-144	13
48.01-60	6		144.01-156	14
60.01-72	7		156.01-168	15
72.01-84	8		168.01-180	16
84.01-96	9		180.01+	16 + 1 lot/60 acres

TABLE 2 – SLIDING SCALE: DENSITY BONUS CRITERIA

Walking /Nature Trails	10%
On-Street Bike Lanes	10%
Character of area	15%
Average lot size in relation to adjoining properties (average lot size of subdivision must be within one (1) acre of average lot size of adjoining properties)	
Connection to public water	15%
Diminished Impact on Services (within the Growth Boundary)	15%
Schools (within one (1) mile)	
Fire and Rescue (within one (1) mile of a station)	
Trash Collection	
Public Sewer	
Preservation of Critical Features	15%
Slopes less than fifteen (15) percent	
Wetland /Stream Protection	
Farmland	
Minimum of forty (40) percent open space	20%
Forest Land	
Wildlife Habitat	
Total	100%

**TABLE 3 – Sliding Scale: Density bonuses in the A-1 Agricultural Limited District
by special exception, using the Density Bonus Criteria chart below**

Parcel Acreage	# Lots		Parcel Acreage	# Lots
6 to 12	2		96.01-108	23
12.01-24	3		108.01-120	28
24.01-36	6		120.01-132	34
36.01-48	8		132.01-144	40

48.01-60	10		144.01-156	46
60.01-72	12		156.01-168	52
72.01-84	15		168.01-180	56
84.01-96	19		180.01+	60 + 1 lot/10 acres

FIGURE 1 – SLIDING SCALE: Lot Assignment Table

BEFORE APPROVAL OF SUBDIVISION			
LOT/PARCEL	ACREAGE	LOT ASSIGNMENT	SOURCE
ORIGINAL TM#	-	-	PARENT PARCEL
AFTER APPROVAL OF SUBDIVISION			
LOT/PARCEL	ACREAGE	LOT ASSIGNMENT	
NEW LOT AS SHOWN**	-	-	
REMAINDER OF TM #	-	-	

****This row shall be replicated for each additional newly created lot from the original parent parcel.**

TABLE 4: Minimum lot area and lot width requirements

District	Minimum Lot Area (sq.ft.)	Minimum Lot Frontage 1 (feet)
A-1 (Agricultural Limited)		
Single-family	43,560	100
Single-family (Recommended option by PC)	3 acres	100
Single-family (Option 2)	10 acres	150
Family divisions	43,560	None
R-1 (Limited Residential)		
Single-family (with public water and public sewerage systems)	15,000	75
(with public water and on-site sewerage systems)	22,500	75
(with non-public water and on-site sewerage systems)	25,000	75
R-2 (General Residential)		
Single-family (with public water and public sewerage systems)	10,000	75

(with public water and on-site sewerage systems)	17,500	75
(with non-public water and on-site sewerage systems)	20,000	75
Two-Family (with public water and public sewerage systems)	12,000	80
(with public water and on-site sewerage systems)	27,000	80
(with non-public water and on-site sewerage systems)	32,000	80
Three-Family (with public water and public sewerage systems)	16,000	90
(with public water and on-site sewerage systems)	38,500	90
(with non-public water and on-site sewerage systems)	46,000	90
Four-Family (with public water and public sewerage systems)	20,000	100
(with public water and on-site sewerage systems)	50,000	100
(with non-public water and on-site sewerage systems)	60,000	100

TABLE INSET:

District	Minimum Lot Area (sq. ft.)	Minimum Lot Area for Each Additional Multifamily Unit (sq. ft.)	Minimum Lot Width (feet)
R-3 (Gen. Res.)			
Multi-Family (1 thru 4 units--Same as R-2)			
5 Units (with public water and public sewerage systems)	24,000	4,000	110
(with public water and on-site sewerage systems)	61,500	7,500	110

V-1 (Village) Single-family (regardless of the type of water and sewerage systems)	43,560	n/a	100
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1 In the measurement of lot width, the front shall be deemed to be the shorter of the sides of a corner lot facing streets.

801.02. Commercial, industrial and other uses. Within districts permitting commercial, industrial and other uses, there are no minimum lot area and lot width requirements except as provided herein in special circumstances and/or as may be required by the board of supervisors, commission and/or board of appeals.

801.03. Health department approval. Area requirements in paragraphs 801.01 and 801.02 are subject to the approval of the health department, and in special circumstances larger lot areas may be required due to health department regulations.

919. Cluster Subdivisions.

A. The intent of this section is to:

1. Protect vital natural and historic resources from development and permanent loss;
2. Prevent the destruction of valuable view sheds, ridge tops and wildlife corridors, including but not limited to both the Blue Ridge Parkway and the Appalachian Trail, and other resources identified in the Comprehensive Plan;
3. Reserve, enhance, and add to the existing and proposed greenway system throughout the county, as identified in the Comprehensive Plan;
4. Provide the citizens of the county additional open space and recreation areas; and
5. Offer an alternative to conventional subdivision development and encourage the design of creative, innovative developments that utilize the land's natural resources and features, and incorporates them into functional preservation and development plans.

B. Applicability.

1. Cluster subdivisions developed under subsection C are a permitted use in the A-1 Agricultural Limited District.
2. Cluster subdivisions are exempt from the limited division rights established in accordance with the sliding scale density provisions contained in Section 801a, except that such exemption shall not apply where the parcel to be developed was created through the sliding scale subdivision process.
3. The zoning administrator shall determine compliance with the standards contained in subsection C.
4. The requirements of this section shall not apply to Planned Unit Developments (PUD), as defined in section 911.

C. Standards.

Cluster subdivisions shall be developed in accordance with the following minimum standards:

- 1. The original parcel used as the basis for the subdivision shall contain a minimum of ten (10) acres of net developable area.**
 - a. Net developable area is equal to the gross area of the property as determined by a boundary survey, less the combined areas of the environmental constraints contained within that property.**
 - b. Environmental constraints are those areas of a parcel or a tract of land for which no credit shall be given for calculation of density and include:**
 - i. Slopes 15 percent or greater;**
 - ii. Area of the 100 year flood plain;**
 - iii. Wetlands, existing water features and streams; and**
 - iv. Area that will be designated as a conservation area.**
 - c. A calculation of the net developable area shall be required for all cluster subdivision plat submissions. Such calculations shall be based on data obtained from USGS 7.5 minute quad maps, aerial photography or other appropriate sources identified by the applicant and approved by the Zoning Administrator.**
 - d. The plat for a cluster subdivision shall graphically depict the location and spatial area for all environmental constraints to the nearest 0.1 acre.**
- 2. Forty (40) percent of the gross acreage of the entire cluster subdivision development shall be preserved as open space established in compliance with subsection D. The applicant shall have the right to provide conservation areas in excess of the minimum requirement.**
- 3. The cluster subdivision must comply with the applicable requirements contained in section 1302.02 for public water and sewer or for mass drainfields, except that off-site drainfields (i) shall be sited fewer than 1,000 feet from the lots to be served, (ii) shall be supported by any necessary easements, and (iii) shall be approved by the local office of the Virginia Department of Health.**
- 4. Any cluster subdivision located in the primary or secondary watershed district(s) pursuant to section 710.04 (1, 2), shall be connected to public water and public sewer. Public water and sewer shall conform to the Amherst County Service Authority design and construction standards, as amended.**
- 5. Any cluster subdivision lot shall comply with the applicable minimum lot area requirements contained in Section 801.01, Table 4 for the underlying Zoning District, provided that calculation of lot area is based on net developable area only such that the net developable area is used to determine the total number of lots that may be established in any such subdivision.**
- 6. Setbacks for lots located in a cluster subdivision shall be as follows: Front Yard - 30'; Side Yard - 10'; Rear Yard - 20'. The front, side, and rear yard setback(s) of any lot adjacent to any lot or public street right of way not located within the proposed cluster subdivision shall be established pursuant to Section 804 in accordance with the setback requirements applicable to that lot or right of way.**
- 7. All lots within a cluster subdivision shall have a minimum seventy-five (75) foot frontage on, and shall have dedicated access to, a street within the secondary system of state highways.**

8. All streets in a cluster subdivision shall meet all requirements of the Subdivision Street Requirements promulgated by the Virginia Department of Transportation.

9. On street parking shall be prohibited on one (1) side of every street in a cluster subdivision.

10. Drainage design shall meet all applicable standards promulgated by the Virginia Department of Transportation, and any other applicable state and county standards.

12. All drainage easements shall be deeded to the homeowners' association for maintenance.

13. All entrance signs to a cluster subdivision shall meet the provisions of section 702.03 (9), 703.03 (11), and 907.

D. Conservation Area Requirements.

1. No residential development may be placed in a conservation area.

2. Ownership and maintenance of conservation areas shall be in one of the following forms:

- i. Common land owned in perpetuity by the owners of lots in the development through a homeowner, condominium or similar association.
- ii. Dedication of the land in perpetuity to a nonprofit organization or land trust through a conservation easement or fee simple conveyance; and,
- iii. Public land after dedication to, acceptance and maintenance by the County board of supervisors or other governmental entity for recreational, conservation, historic or other open space purposes.

2. The cluster subdivision plat shall plainly identify the conservation area, and shall describe the form of ownership associated with the area, provisions for the maintenance of the conservation area in perpetuity, and covenants that forbid the use of the conservation area for any type of residential dwelling. Any provisions or covenants relating to the conservation area shall be approved by the Zoning Administrator in conjunction with plat approval.

3. Conservation areas are not subject to the design standards for buildable lots contained in a cluster subdivision, except that any non-residential structures placed in a conservation area shall conform to the provisions governing lot coverage contained in Section 802, height restrictions contained in Section 803, yard requirements contained in Section 804, and the requirements associated with accessory and temporary buildings contained in Section 901.

4. No building, building addition, structure, street, driveway, parking area or any other type of physical land improvement shall be located within a conservation area, except those structures necessary to the uses for which the conservation area is preserved.

5. Publicly-dedicated trails and parks may be developed in conservation areas with the approval of the Amherst County Board of Supervisors.

E. *Cluster development process.*

- 1. The applicant shall meet with the Zoning Administrator or his designee to review the requirements for a cluster subdivision prior to the preparation of the preliminary plat. The applicant shall present at that meeting a property resource map prepared by a licensed engineer/surveyor, architect or landscape architect, or by another source as approved by the Zoning Administrator.**
- 2. Any such property resource map shall include:**
 - a. Total net developable acreage, acreage of any environmental constraint areas and the acreage of any other areas that may affect the design of the cluster subdivision, including:**
 - i. Watersheds or conservation easements;**
 - ii. Flood plains, wetlands, and riparian zones outside the FEMA study area;**
 - iii. Historic structures and sites;**
 - iv. Healthy woodlands; and,**
 - v. Productive agricultural and forested lands.**
- 3. Subsequent to approval of the property resource map, the applicant shall submit a preliminary plat in accordance with Article XII of the Zoning Ordinance. The preliminary plat shall include, along with all other required provisions, the following additional information:**
 - a. Required open space shall be mapped as conservation lots and noted on the plat, along with an ownership and maintenance statement; and**
 - b. All deed restrictions and covenants applicable to public services, open space, and cluster subdivision lots.**
- 4. Once the Planning Commission has approved the preliminary plat, the applicant shall submit the final plat in accordance with Section 1204 of Article XII of the Zoning Ordinance.**

1204. Preparation of final plat.

1204.01. *Final plat requirements.* The final plat shall be legibly drawn and submitted in accordance with the following requirements:

- 1. Copies shall be permanent copies of original tracings;**
- 2. One (1) or more sheets may be used, each to be numbered as "page (number) or (total number of pages)"; if two (2) or more sheets are used, each sheet shall show the name of the subdivision, and match lines shall be provided to indicate where the several sheets join;**
- 3. The scale shall not be less than one (1) inch equals one hundred (100) feet. The zoning administrator or planning director may accept a scale which is sufficient to clearly show all required details on the plat;**
- 4. Where the complete plat cannot be shown on one (1) sheet, an index map shall be provided on a separate sheet at a reduced scale.**

1204.02. *Information contained on final plat.* The final plat shall include the following information:

1. All of the information required of preliminary plats in Section 1203.02;
2. Bearings, lengths, widths, centerlines, easements and right-of-way of every street and alley within the subdivision; data for all curves and angles in streets and alleys; location or iron pipes marking street corners, angles in streets, and the beginning (marked "PC") and end ("PT") of each curve in streets;
3. Building setback lines, with distance to street right-of-way and length of the setback line for each lot;
4. Location, bearings, and dimensions of all lot lines with location of markers shown;
5. Land or water areas to be dedicated or reserved for streets, alleys, parking areas, or other public use, or for common use of future property owners in the subdivision;
6. All restrictive covenants or references to where such covenants are filed;
7. An execution of the owners consent to subdivision, in accordance with Section 15.2-2264 of the Code of Virginia, 1950, as amended, to the effect that the subdivision
8. A certificate signed by the surveyor setting forth:
 - a. The source of title of the owner of the land subdivided;
 - b. The place of record of the last instrument in the chain of title;
 - c. All markers are shown and described in the plat and are in place as shown.
9. Space for signatures of approval of the zoning administrator, a Virginia Department of Transportation representative, a Virginia Department of Health representative, and in the case of property to be served by public utilities or located in a Watershed District, the Director of Public Utilities for the Amherst County Service Authority or a representative of the Town of Amherst, as appropriate;
10. Name and signature of any owners of property over which a right-of-way traverses which is intended to provide required access to the subdivision. The signature block shall include the following statement: "The owners understand and accept the prescribed right-of-way on their property as a means of access to a subdivision of property. It is understood and accepted that maintenance of the access road will take place within the right-of-way."
11. For properties not served by public sewer, a signature block for the developer's Virginia Certified Onsite Soil Evaluator, stating "I Certify that soils evaluation work for this subdivision has been done in accordance with both state law, and Amherst County ordinances relating to onsite sewage disposal. Data resulting from soil work, including treatment systems, pre-treatment systems, primary and reserve drainfields, has been appropriately evaluated and approved by the Virginia Department of Health."
- 12. For lots that are zoned A-1 Agricultural Limited District, Section 801.01, a lot assignment table substantially in the form of the Lot Assignment Table shown in Figure 1 in Section 801.01 shall be included on the final plat.**
- 13. Cluster subdivisions shall meet all platting requirements as provided in Section 919.**

1207.01. Family divisions.

(A)

A single division of a lot or parcel for the purpose of sale or gift to a member of the immediate family of the property owner. Only one (1) such division is to be allowed per family member, and shall not be for the purpose of circumventing this subsection. For the purposes of this subsection a member of the immediate family is defined as any person who is a natural or legally defined offspring, stepchild,

spouse, grandchild, grandparent, sister or brother or parent of the owner. Such a division shall be called a family division. The applicant shall submit three (3) copies of said family division plat to the planning department for review and approval. Within sixty (60) days of official submission, the plat shall be approved or disapproved by the zoning administrator or his/her designee. The applicant shall be responsible for recording the plat in the office of the clerk of the circuit court within six (6) months of approval or it will become invalid. The family division plat shall clearly show the following information:

1. Every plat which is intended for recording shall be prepared by a certified professional engineer or land surveyor, who shall endorse upon each such plat a certificate signed by him or her setting forth the source of title of the owner(s) of the land(s) involved in the family division and the place of record of the last instrument(s) in the chain of title;
2. Date of plat;
3. Scale;
4. North arrow;
5. Adjoining property owners;
6. Bearings and distances of all lines surveyed as part of the family division;
7. Name and signature of owner(s) notarized;
8. Acreage of conveyed property, per Section 801;
9. The acreage and frontage width of the remainder or a statement certifying the surveyor's knowledge that the remainder of the property meets the minimum acreage and frontage width requirements;
10. Tax map section, block and lot number;
11. Plat clearly labeled FAMILY DIVISION by the surveyor;
12. Name(s) of family member grantee;
13. Sufficient dedicated easement to meet the standards of the Virginia Department of Transportation when a lot fronts on a state maintained road;
14. Signature block for county official;
15. All family subdivisions not fronting on a public road shall provide for the conveyance of a right of way twenty (20) feet in width;
16. If the property is located within a watershed overlay district, all requirements applicable to the subdivision of land therein must be met.
- 17. For lots that are zoned A-1 Agricultural Limited District, Section 801.01, a lot assignment table substantially in the form of the Lot Assignment Table shown in Figure 1 in Section 801.01 shall be included on the final plat.**

1207.02. Reconfiguration plat submission and approval. The applicant shall submit five (5) copies of the plat to the planning department for review and approval. The zoning administrator or planning director will complete the review within seven (7) days of receipt of the plat. Once a determination has been made that the plat meets the standards

of this ordinance, the zoning administrator or planning director shall approve it and sign the plat.

The applicant shall be responsible for recording the plat in the office of the Clerk of the Circuit Court within six (6) months of approval or it will become invalid. The reconfiguration plat shall clearly show the following information:

1. Every plat which is intended for recording shall be prepared by a certified professional engineer or land surveyor who shall endorse upon each such plat a certificate signed by him or her setting forth the source of title of the owner(s) of the land(s) involved in the reconfiguration and the place of record of the last instrument(s) in the chain of title;
2. Date of plat;
3. Scale;
4. North arrow;
5. Adjoining property owners;
6. Bearings and distances of all lines surveyed as part of the reconfiguration;
7. Name and signature of owner(s) notarized;
8. The acreage and frontage width of the reconfigured properties or a statement certifying the surveyor's knowledge that the reconfigured properties meet the minimum acreage and frontage width requirements;
9. Tax map section, block and lot number;
10. Plat clearly labeled RECONFIGURATION by the surveyor;
11. Signature block for county official.
- 12. For lots that are zoned A-1 Agricultural Limited District, a lot assignment table substantially in the form of the Lot Assignment Table shown in Figure 1 in Section 801.01, shall be included on the final plat.**
- 13. Designated conservation areas in a cluster subdivision shall not be reconfigured.**

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APPENDIX 1-SLIDING SCALE

Density bonus is calculated using the density bonus table 2 and table 3. Table 3 represents the highest number of lots if one hundred (100) percent of the criteria in table 2 is achieved. If the total number of lots is a fraction of a lot, the lot shall be rounded down to the nearest lot.

Formula Description: Number of lots using sliding scale (table 1) + percentage of lots using density bonus criteria (table 2) multiplied by the difference of lots in table 1 and table 3. **Formula:** $\text{Table 1} + \% (\text{Table 3} - \text{Table 1})$

Example: A 140 acre parcel under sliding scale receives thirteen (13) total lots. Using the density bonus criteria, the same one hundred and forty (140) acre lot with fifty (50) percent of the density bonus criteria met would in addition receive half of the total maximum allowed lots; therefore the amount of additional lots is thirteen and a half (13.5) (round down to thirteen (13)), totaling twenty-six (26) lots.

APPENDIX 2 – CLUSTER SUBDIVISIONS

Example: A 100 acre parcel using cluster subdivision must set aside forty (40) percent open space from the net developable area. Therefore, sixty (60) percent of the lot qualifies as developable area. Of the sixty (60) developable acres, a lot must be a minimum of three (3) acres in total size. Therefore, twenty (20) lots are permitted within the net developable area.

OPTIONS

702.02. Lots and Subdivisions (Option 1). The creation of one (1) new lot every twelve (12) months shall be permitted. The new lot created may not be re-divided for five (5) years. The parent or original tract may continue to be divided annually from the date of the initial division. The date of plat recordation shall be used to determine the applicable time periods. The minimum lot size shall be one (1) acre. Family divisions, as defined in section 1207.01, are exempt from these time regulations. Planned Unit Developments (PUD), as defined in section 911, are exempt from these regulations.

702.02. Lots and Subdivisions (Option 2). Minimum lot size is ten (10) acres, per section 801.01, table 4. Family divisions, as defined in section 1207.01, are exempt from these regulations. Planned Unit Developments (PUD), as defined in section 911, are also exempt.