

**Article 3. Process****Sec. 19-3-1. General.**

All sketch plans, preliminary plats, and final plats shall be reviewed and approved or disapproved in accordance with the procedures specified in this Article.

**Sec. 19-3-2. Sketch plan.**

- (a) For any minor or major subdivision, the subdivider shall submit a sketch plan that satisfies the requirements of Article 4 of this chapter to the Subdivision Agent, who shall comment in writing and provide such comments to the subdivider within thirty (30) days of submission. The Subdivision Agent shall also provide a determination whether the proposed subdivision, as presented, would be classified as a family subdivision, minor subdivision, or major subdivision under this chapter.
- (b) If the Subdivision Agent determines the proposed subdivision is a major subdivision, the subdivider shall provide 20 copies of the sketch plan and any revisions to the Subdivision Agent. The Subdivision Agent shall then place this item on the agenda of the Planning Commission within sixty (60) days of receiving the sketch plans. The Subdivision Agent shall also forward any staff comments to the Planning Commission.
- (c) The Planning Commission shall review and provide comments within forty-five (45) days of the date of the meeting the sketch plan was presented. If no comments are presented to the Subdivision Agent, the sketch plan is deemed reviewed and the subdivider may submit a preliminary plat.
- (d) Thereafter, no preliminary or final plat shall be approved by the Subdivision Agent unless the same shall substantially conform to the approved sketch plan, including all required modifications thereto, which may be required as a result of comments by the planning commission.

**Sec. 19-3-3. Family subdivisions.**

Any family subdivision shall comply with the following standards:

- (a) All lots created shall comply with Chapter 22 of this code.

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- (b) All lots must have a permanent access easement to a public road, not less than 20 feet in width. Where practicable, all lots must use the same easement for access, and shall not have separate driveway entrances on the public road.
- (c) Only one lot shall be created and conveyed to each eligible family member, as defined in Section 19-2-1. Prior to approval of the final plat, the subdivider shall provide to the Subdivision Agent an executed deed of conveyance to an eligible family member for each lot created. Included in such deed shall be a restriction preventing sale of such lot after dedication for a period of not less than three years. The lot may be transferred prior to the conclusion of the three year period, if the Subdivision Agent shall determine that there is a compelling need to convey such parcel and that the conveyance of such parcel shall not be for purposes of circumventing the review provisions of this chapter. "Compelling need" shall include, but shall not necessarily be limited to, (1) removal of the residence of the owner of such lot from the County when such lot is the residence of such owner; (2) sale by or at the request of a bona fide creditor pursuant to a deed of trust, action of trustee in bankruptcy or the order of a court of competent jurisdiction; and (3) death or physical or mental disability of the owner.
- (d) No lot created under this Section shall be for the purpose of circumventing the minor or major subdivision provisions of this chapter.

### **Sec. 19-3-4. Preliminary plat.**

For any minor or major subdivision, after receiving the Subdivision Agent's comments on a sketch plan, the subdivider shall submit a preliminary plat that satisfies the requirements of Article 4 of this chapter to the Subdivision Agent.

- (a) For every minor or major subdivision, the subdivider shall submit, to the Subdivision Agent, copies of a preliminary plat in a number sufficient to allow review by all appropriate agencies as applicable and as determined by the Subdivision Agent. Within ten days the Agent shall review the preliminary plat application for completeness, and if it is incomplete, so notify the subdivider, specifying instructions for its completion. No preliminary plat shall be deemed to be officially submitted for approval unless and until the Subdivision Agent finds it to be complete. Upon his determination that such preliminary plat application is complete, the Subdivision Agent shall retain copies for his review, forward copies to all agencies whose comments are necessary for consideration of the plat.

- (b) For any minor subdivision, the Subdivision Agent shall approve or disapprove a complete preliminary plat within thirty days of its submission. In the case of disapproval, the Subdivision Agent shall inform the subdivider in writing of the reasons for disapproval and the changes required to obtain approval.
- (c) For any major subdivision, the Subdivision Agent shall review the preliminary plat and approve or disapprove the preliminary plat within forty-five days of its submission. In the case of disapproval, the Subdivision Agent shall inform the subdivider in writing of the reasons for disapproval and the changes required to obtain approval.

**Sec. 19-3-5. Authority to construct improvements.**

The subdivider may install the monuments, roads and other improvements proposed on the plat only after approval of a preliminary plat. Preliminary plat approval shall be effective for five years, if the subdivider has begun and diligently pursued construction during that period. Otherwise the preliminary plat shall become null and void after five years unless the preliminary plat indicates phased implementation consistent with 19-7-6 of this chapter. The foregoing notwithstanding, the installation of any improvements after the approval of a preliminary plat shall be at the sole risk of the subdivider and shall not entitle the subdivider to the approval of any final plat which is not otherwise approvable.

**Sec. 19-3-6. Final plat.**

**Sec. 19-3-6.1. Review for completeness.**

Within ten days the Subdivision Agent shall review the final plat for completeness, and if the application is incomplete, so notify the subdivider within ten days, specifying instructions for its completion.

**Sec. 19-3-6.2. Administrative review.**

The Subdivision Agent shall review the final plat within sixty days of acceptance for conformity to the approved preliminary plat and this chapter, and approval by all appropriate agencies. The Subdivision Agent shall forward any legal documents submitted pursuant to Sec. 19-6-4 to the county attorney for review and approval, and the county attorney shall review such documents for compliance with applicable law. If the final plat and associated legal documents meet these criteria, the Subdivision Agent shall approve the final plat and return it to the subdivider. If they do not meet these criteria, the Subdivision Agent shall inform the subdivider in writing of the reasons for disapproval and the changes required to obtain approval. Any resubmission of the plat shall be reviewed within forty-five (45) days.

**Sec. 19-3-6.3 Recordation.**

An approved plat shall be filed for recordation within six months after final approval. Such approval shall be withdrawn and the plat marked void and returned to the approving official if the approved plat is not filed for recordation within six months, subject to the exception for facilities to be dedicated to public use in Section 15.2-2241(8) of the Code of Virginia.