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M E M O R A N D U M

TO: Policy File

FROM: Anne Ducey-Ortiz, Planner III for Jay Scudder, Planning Director

DATE: May 10, 2007

SUBJECT: Submittal of Final Plat for Major Subdivisions

According to Section 15-52.1 of the Subdivision Ordinance, **approval of the development plans for major subdivisions is required prior to final plat approval.** In order to avoid duplication of effort and inefficient use of staff time, the Planning Department has not permitted the submission of final plats until the development plans have been approved, citing this section of the Ordinance. The County's Subdivision Ordinance also states that the final plat must be **recorded** within a year of preliminary approval (Section 15-62). However, the Code of Virginia (Section 15.2-2260(F)) indicates that preliminary approval is valid for five years provided that the subdivider "**submits** a final subdivision plat, for all or a portion of the property, within **one year** of such approval or longer as provided by local ordinance, and thereafter diligently pursues approval of the final subdivision plat."

In order to be consistent with state law, the Planning Department will allow the submittal of a final plat application prior to approval of the development plans providing that the applicant is approaching the year deadline for submission pursuant to state code (*11 months after preliminary approval*). However, staff **will not review or comment** on the final plat until the development plans have been approved by all appropriate agencies. If the development plans have not been approved within **45 day of receipt** of the final plat application, the Planning Department will send a letter to the applicant indicating denial of the first submission of the final plat indicating the reason for denial is failure to comply with Section 15-52.1 of the Subdivision Ordinance. As long as the applicant continues work toward approval of the development plans, the Planning Department will consider that the subdivider is diligently pursuing approval of the final plat pursuant to Section 15.2-2260 of the Code of Virginia.

Upon approval of the Development Plans, the final plat will be reviewed for compliance with the Subdivision Ordinance and consistency with the approved development plans.