



Board of Supervisors

1800 Sandy Hook Road
Goochland, VA 23063

Meeting: 08/07/18 03:00 PM
Department: County Attorney
Category: Ordinance Amendment to Appendix A or B
Prepared By: Christina Neale
Department Head: Tara A. McGee

ADOPTED ORDINANCE

(ID # 2852)

✓ Vote Record - Ordinance 2852						
<input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn <input type="checkbox"/> Meeting Cancelled <input type="checkbox"/> Deferred <input type="checkbox"/> Denied <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Consensus of the Board <input type="checkbox"/> Tabled by Consensus <input type="checkbox"/> Approved as Amended <input type="checkbox"/> referred						
			Yes/Aye	No/Nay	Abstain	Absent
	Susan Lascolette	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Manuel Alvarez	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Robert Minnick	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ken Peterson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	John Lumpkins	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AT A MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF GOOCHLAND, VIRGINIA, HELD ON AUGUST 7, 2018, IN THE GOOCHLAND COUNTY ADMINISTRATION BUILDING, 1800 SANDY HOOK RD., SUITE 250, GOOCHLAND, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:

An ordinance to amend Article 8 (Procedures for Plat Preparation and Approval for All Major Subdivisions) of the Goochland County Subdivision Ordinance to remove all pre-submission requirements for final plat approval, pursuant to recent changes in state law

WHEREAS, Virginia Code §§ 15.2-1427 and 15.2-1433 enable a local governing body to adopt, amend, and codify ordinances or portions thereof; and

WHEREAS, Virginia Code §§ 15.2-2240 and 15.2-2253 enable a local governing body to adopt and amend subdivision ordinances; and

WHEREAS, the 2018 General Assembly adopted Senate Bill 993, amending Virginia Code § 15.2-2259 to prohibit a local planning commission from delaying the official submission of any proposed final plat by requiring pre-submission conferences, meetings, or reviews; and

WHEREAS, pursuant to Virginia Code § 15.2-2286(A)(7), these amendments are required to serve the public necessity, convenience, general welfare, and are good zoning practices; and

WHEREAS, pursuant to Virginia Code § 15.2-2204, the Goochland County Planning Commission duly advertised and held a public hearing on this request on June 28, 2018, and recommended approval of the proposed ordinance; and

WHEREAS, pursuant to Virginia Code § 15.2-2204, the Goochland County Board of Supervisors duly advertised and held a public hearing on the proposed ordinance on August 7, 2018; and

WHEREAS, the proper advertisement and public hearing was conducted as required by law and the full text of this proposed ordinance amendment was available for public inspection

NOW, THEREFORE, BE IT ORDAINED, that the Goochland County Code is hereby amended, and this ordinance is hereby enacted as follows:

- 1. Article 8 (Procedures for Plat Preparation and Approval for All Major Subdivisions) of the Goochland County Subdivision Ordinance (Appendix B of the Goochland County Code) is hereby amended as follows:**

ARTICLE 8. - PROCEDURES FOR PLAT SUBMISSION PREPARATION AND APPROVAL FOR ALL MAJOR SUBDIVISIONS

Section 1. - ~~Preliminary phase.~~ Plat submissions, generally.

~~Prior to the submissions of a tentative plat of any proposed subdivision within the jurisdiction of the County of Goochland, the subdivider shall make known his intentions to the planning commission and the plats officer. During this preliminary phase, the following actions shall be taken:~~

- ~~1. *Application.* All tentative or final plats for any proposed subdivision shall be submitted to the plats officer for approval. A plat shall not be deemed submitted unless accompanied by a completed application and any required fees or costs.~~

~~The subdivider or his representative shall file an application to subdivide with the plats officer. The application shall establish the subdivider's intentions as to subdivision.~~

- ~~2. *Preliminary conference.* The subdivider, or his representative, shall meet informally with the plats officer for the purpose of presenting a general outline of his proposal, including but not limited to:~~

~~Required submissions. The subdivider shall provide the plats officer with the following information:~~

- ~~a. Existing physical features such as natural drainageways, swamps, and wooded areas.~~
- ~~b. Existing easements and covenants affecting the property.~~
- ~~c. Surrounding land uses, streets and existing buildings.~~
- ~~d. Sketch plans and a written description regarding future land uses, street and lot arrangement, number of lots, and tentative lot sizes; preliminary proposals regarding water supply; sewage disposal, surface drainage, street improvements and land to be dedicated for public streets and other public uses.~~
- ~~e. Evidence of consultation with, and tentative approval of, public utility companies concerned.~~
- ~~f. A map drawn from the Goochland County Soil Survey showing the location of various soil types underlying the property, color-coded as to their limitations on septic tank absorption fields, to a scale not smaller than one (1) inch to one thousand three hundred twenty (1,320) feet.~~
- ~~g. Any known grave, object or structure marking a place of burial located on the land proposed for subdivision; as represented on current or past plats, obtained through a 100-year plat search.~~

- ~~3. *Action by the plats officer.* The plats officer shall discuss the proposed subdivision with the subdivider and advise him of procedural steps, design and improvement standards and general plat requirements. The plats officer shall then proceed with the following investigations:~~
- ~~a. Advise the subdivider of existing county plans which might affect the proposed subdivision.~~
 - ~~b. Check the existing zoning of the tract and make recommendations if a zoning change is necessary or desirable.~~
 - ~~c. Study the adequacy of existing or proposed schools, parks, and other public facilities and utilities.~~
 - ~~d. Inspect the site or otherwise determine its relationship to existing and proposed streets, utility systems and adjacent land uses and determine any unusual problems in regard to topography, utilities, soils, flooding, access, etc.~~
 - ~~e. Upon completion of investigations described above, the plats officer shall advise the subdivider in writing of any necessary changes to his sketch plan. The subdivider shall be requested to prepare and submit a tentative plat.~~
- ~~4. *Planning commission review.* Prior to recordation, all plats of subdivisions of five (5) or more lots must be reviewed by the planning commission. The planning commission shall examine the proposed plat with the subdivider to determine the following:~~
- ~~a. Existing physical features such as natural drainageways, swamps, and wooded areas.~~
 - ~~b. Existing easements and covenants affecting the property.~~
 - ~~c. Surrounding land uses, streets, and existing buildings.~~
 - ~~d. The existence of new roads built to county specifications or the subdivider's proposals and assurances for road construction.~~
 - ~~e. The existence of plats showing the proper right-of-way, lot size, shape and configuration.~~
 - ~~f. The existence of or proposed restrictive covenants and existence of a home owners association.~~
 - ~~g. The existence of plats showing a grave, object or structure marking a place of burial located on the land proposed for subdivision; as represented on current or past plats, obtained through a 100-year plat search.~~

...

Section 3. - Final plat.

A subdivider shall prepare and submit a final record plat to the plats officer for approval. If a tentative plat is required, then it must have been approved prior to the submission of a final record plat. ~~After approval of the tentative plat, the subdivider may prepare and submit to the planning department through the plats officer, a final record plat. During the final plat stage, the following actions shall be taken:~~

- ~~1. Filing of final plat. After the subdivider has complied with the provisions of Article 8, Section 2 of this ordinance, the subdivider~~ A subdivider with an approved tentative plat shall file the final plat with the county plats officer within twenty-four (24) months of

the date of approval of the tentative plat, unless such period is extended by the planning commission for good cause shown. The final plat shall conform to these requirements:
~~the requirements of Article 8, Section 3 of this ordinance.~~

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Except as amended herein, all chapters, articles, sections, paragraphs, and provisions of the County Code are readopted in their entirety as if set forth herein.

3. This amendment shall take effect immediately upon adoption.

A COPY ATTEST:

John A. Budesky, County Administrator
Goochland County Board of Supervisors