



Loudoun County, Virginia

Department of Building and Development

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Technical and Procedural Newsletter

July 5, 2017

TO: Members of the Land Development and Engineering Design Community

FROM: Michael Seigfried, Director 

The purpose of this correspondence is to inform the Land Development and Engineering Design Community of technical and procedural updates that have recently transpired. Please distribute this information to applicable personnel within your organization.

IN THIS EDITION: Timing of Preliminary/Record Subdivision (SBPR) and Construction Plans and Profiles (CPAP) Submissions

BACKGROUND:

On July 2, 2014, a technical newsletter was distributed addressing HB 209 (effective July 1, 2014), which amended Virginia code section 15.2-2260 to read, in part, that a locality may provide “in its ordinance for the *mandatory* submission of preliminary subdivision plats for tentative approval *for plats involving more than 50 lots, provided that any such ordinance provides for the submission of a preliminary subdivision plat for tentative approval at the option of the landowner for plats involving 50 or fewer lots.*

The previous newsletter established that, effective July 1st, 2014, Preliminary Subdivisions were no longer mandatory for projects with 50 or fewer lots, but could be submitted at the option of the land owner. The newsletter also indicated that the Preliminary/Record Subdivision (SBPR) process would be utilized for up to 50 lots until such time as the Facilities Standards Manual (FSM) and Land Subdivision and Development Ordinance (LSDO) were amended to reflect the change.

The technical newsletter did not establish the timing or sequence for submission of the SBPR as it pertains to the related Construction Plans and Profiles (CPAP) application. Some issues associated with the timing of submission of the SBPR and the CPAP have subsequently been identified, including 1) delayed timing of zoning ordinance review of subdivision applications and 2) delayed submission and review of required environmental reports.

DISCUSSION:

The B&D Land Subdivision Division reviews SBPRs, but does not review CPAPs. As a result, zoning comments provided with the SBPR have been received later in the development process in instances where the CPAP is submitted in advance of the SBPR, complicating the processing of the

CPAP. In addition, the Phase I archaeological survey report (8.102.B.4) and the Preliminary Soils Review (PSR) (8.102.B.5) triggered by the SBPR (8.103.3.B) are not being received in a manner that facilitates timely staff review and comment in cases where the CPAP is submitted prior to the SBPR.

In order to resolve these timing concerns pending adoption of FSM and LSDO amendments addressing the Virginia Code amendment, **as of August 1, 2017, the SBPR will be required to be submitted prior to or concurrent with second submission of the CPAP.**

Please direct questions or comments regarding this newsletter to Gary Clare, B&D Chief Engineer, at (703) 777-0231 or Gary.Clare@loudoun.gov.