



## Loudoun County, Virginia

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### Department of Building and Development

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## Technical and Procedural Newsletter

March 31, 2017

**TO:** Members of the Land Development and Engineering Design Community

**FROM:** Gary R. Clare, PE, Chief of Engineering Division

*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:** *Site Plan Comment Letter Formats*

#### **Background:**

It has been brought to Staff's attention that Code of Virginia Title 15.2, Chapter 22, identifies language associated with the processing of site plans that is different from the wording appearing in County comment letters requesting corrections and/or modifications of such site plan applications upon resubmission. Although Staff believes that in reviewing such plans in the past we have been, and are currently, operating within the intent and specified limits of the Code, we have decided to revise our standard comment letter language to remove any ambiguity or uncertainty.

Therefore, effective immediately, in order to more clearly demonstrate compliance with the Code, the words "disapprove," "disapproval" and/or "disapproved" will appear in any site plan comment letter wherein we are not immediately approving such a plan. Therefore, if the County is unable to approve the plan after a review of the initial submission or any subsequent resubmission has been completed, an opening paragraph of the letter will state as follows:

**"...The Site Plan is disapproved for the specific reasons stated in this letter. This disapproval is due to the following deficiencies in the Site Plan application that are listed or described below along with references to relevant duly adopted ordinances, regulations or policies and a listing or description of the modifications or corrections that will permit approval of the Site Plan upon resubmission. The following requirements apply and must be met for plan approval: ..."**

The process currently used, i.e. wherein County Staff continues to work with applicants and their consultants on resubmissions until such time as the plan can be approved, shall continue as it currently exists. A resubmission may be made by the applicant immediately following a comment letter such as worded above, for example, and is in fact anticipated by Staff.

Please note that although applicants may continue to obtain comments submitted by referral

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agencies or the project engineer through the LOLA system, these are unofficial/draft comments. If an applicant commences revising its plan based on such unofficial comments prior to receiving the official comments letter from Building and Development, the applicant does so at its own risk. The only official comments upon which to base a resubmission of the plan are those set forth in or attached to the official comments letter from Building and Development.

Please also be advised that any design changes based upon the comments received may generate new comments which are caused by those design changes. Finally, due to the possibility of such design changes, performance bond amounts cannot be set or approved until the plan design achieves at least conditional approval.