

ADOPTED

JAN 22 1991

ORDINANCE NO. 30A-18

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 17, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II. PROCEDURES AND DOCUMENTS TO BE FILED, SECTION 17-26. TERM OF VALIDITY FOR THE PRELIMINARY PLAN AND EXTENSION.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 17, Subdivisions is hereby amended and reordained by amending Section 17-26. Term of Validity for the Preliminary Plan and Extension.

Chapter 17. Subdivisions.

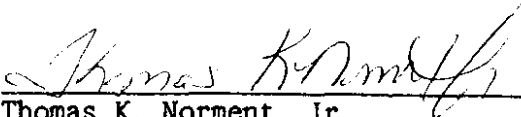
Article II. Procedures and Documents to be Filed.

Section 17-26. Term of Validity for the Preliminary Plan and Extension.


(a) The subdivider shall have no more than three hundred and sixty-five days from the date of approval of the preliminary plan to record a final subdivision plat in accordance with this Chapter. A final plan shall be submitted and approved pursuant to Section 17-30 prior to recordation. Failure to record a final plat within the specified time period shall make preliminary approval null and void. The agent may, on written request by the subdivider, grant one or more extensions of preliminary approval for a period of one year upon finding:

- 1)
 - (i) The subdivider has substantially satisfied all conditions of preliminary approval;
 - (ii) Significant progress has been made in construction;
 - (iii) There has been no significant change in Comprehensive Plan policy or James City County Code requirements that affect the property; and
 - (iv) The project has progressed without being cited for any construction related violation of the James City County Code or, in the event such violation has occurred, it has been corrected in a timely manner; or
- 2) There have been unusual delays in proceeding with the subdivision process or construction caused by government agencies or acts of God.

(b) If a subdivider records a final plat, which may be a section of a subdivision as shown on an approved preliminary plan, and furnishes to the County a certified check, cash escrow, bond, or letter of credit in an amount and form acceptable to the County for the estimated cost of construction of the facilities to be dedicated within said section for public use and maintained by the locality, the Commonwealth, or other public agency, the developer shall have the right to record the remaining sections shown on the preliminary plan for a period of five years from the recordation date of the first section. Such right shall be subject to the terms and conditions of the Code of Virginia and subject to engineering and construction standards and the Zoning Ordinance requirements in effect at the time that each remaining section is recorded.


Thomas K. Norment, Jr.
Chairman, Board of Supervisors

ATTEST:


David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
DEPUE	AYE
TAYLOR	AYE
EDWARDS	AYE
KNUDSON	AYE
NORMENT	AYE

Adopted by the Board of Supervisors of James City County, Virginia,
this 22nd day of January, 1991.

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