



## PLANNING AND COMMUNITY DEVELOPMENT



### Consultants, Builders and Developers

### Notice #2017-10-11

October 11, 2017

#### Topic: Updated Policy on Survey Plat Review Prior to Recordation

#### Background:

- In accordance with State Code, the City of Virginia Beach has adopted the Subdivision Regulations (City Code, Appendix B), which require the City to review and approve all subdivision plats prior to recordation in the Circuit Court. This includes plats that create new parcels or lots, adjust lot lines or vacate lot lines (“Subdivision Plat”).
- The Commonwealth of Virginia does not authorize cities to require the approval of survey plats that are not considered to be Subdivision Plats. Typically, these plats may be titled as a “Boundary Plat,” “Plat of Property,” or similar (“Survey Plat”).
- The determination of whether a plat is a Subdivision Plat that needs City approval or a Survey Plat could be determined by the Clerk of the Circuit Court or her appointed staff. However, the City has had a long-standing agreement with the Clerk of Circuit Court to provide that determination.
- The City recognizes that while this step of checking a plat to ensure it is not a Subdivision Plat is crucial to protecting future property owners, it has been overly complicated and time-consuming.
- We have recently met with the Clerk of Circuit Court and various City review agencies and determined that an update to the process is needed.

#### Policy Update:

Effective immediately, the following process will be followed:

1. The Survey Plat and [submittal form](#) may be submitted electronically via [Accela](#), or by CD, or hard copy (one full size paper plat and submittal form), delivered to the Planning & Community Development Department (PCD), Development Services Center (DSC).

2. There is no City fee associated with this process.

3. The Survey Plat must include:

- A note stating: *“This plat does not constitute a subdivision of land”* or equivalent wording; and
- The following note and signature line:

*“The City’s endorsement below is solely to advise the Clerk of the Circuit Court that this plat does not constitute a subdivision of land as defined in the Subdivision Regulations, City Code Appendix B. The City of Virginia Beach makes no assumptions or opinions as to the correctness of the boundaries and other information shown on this plat and has made no determination as to the potential for use, development or redevelopment of the properties shown hereon.”*

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_

*Planning & Community Development Director or Designee*

4. The Review Process will take approximately two weeks.

The Survey Plat will only be reviewed by a DSC Planner, whose sole purpose is to confirm that the Survey Plat is not a new subdivision of land.

A. If it is determined that the plat is not a subdivision of land and is a Survey Plat:

- 1) An email will be sent to the Land Surveyor requesting two mylar originals, one paper copy and the court recording fee.
- 2) The PCD Director or designee will sign the statement on face of the mylar plat and DSC staff will take the plat to the Circuit Court for recordation.
- 3) Once the instrument number is issued, the DSC staff will send an email to the Land Surveyor advising of the recorded status.
- 4) One original mylar is processed in the Circuit Court and becomes available for the Land Surveyor to pick up at the Court; the other original mylar is given to the City of Virginia Beach IT/Center for GIS office for use in the City’s mapping system.

B. If it is determined that the plat does represent a new subdivision of land, an email will be sent to the Land Surveyor advising of the DSC determination and the need for a Subdivision Plat review.

C. If it determined that the plat represents a previously illegally created parcel, an email will be sent to the Land Surveyor advising of the DSC determination and the following may occur:

- 1) It may be a situation that can be handled by a note advising that the lots were not created legally and are not valid buildable lots, or
- 2) It may be a situation that warrants correcting the illegal nature by submitting the plat through the standard Subdivision Plat review process.

**For Assistance With This Process, Please Contact:**

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