



## Waynesboro City Council Agenda Briefing

<b>Meeting Date:</b>	June 27, 2022	<b>Staff/Council:</b> Luke Juday, Director of Community Development
<b>Agenda Item #</b>	10	
<b>Subject:</b>	2022 Subdivision Ordinance Revision	
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Staff report</li><li>2. Planning Commission Recommendation</li><li>3. Revised Subdivision Ordinance, Chapter 74, with redline changes</li></ol>	

### **Background:**

The Subdivision Ordinance regulates and controls the division of land within the City of Waynesboro. The current Subdivision Ordinance was adopted on November 27, 2000, when the previous ordinance was repealed in its entirety and replaced. The last major revision to the Subdivision Ordinance was in 2017 and dealt largely with subdivision design. The amendments proposed currently deal with process.

Recently, a change to state law barred localities from requiring applicants to go through the preliminary plat stage if their subdivision has 50 or fewer lots. For some localities, this was not a change. Applicants could submit the public improvement plan and final subdivision plat directly. For Waynesboro, however, this law requires significant changes.

Staff recommends that the major subdivision process be amended to require preliminary plats for subdivisions with 51 or more lots in accordance with state code. Subdivisions with 50 or fewer lots may submit a Preliminary Plat or they may proceed directly to submission of a Public Improvement Plan and review of the Final Plat. Because phasing is made possible through a phasing plan in the Preliminary Plat, subdivisions which do not include a Preliminary Plat must be built in their entirety before the Final Plat can be released.

Planning Commission and staff also propose that the ordinance be changed so that major subdivision plats do not go to Council. Instead, preliminary plats will require only one public hearing and a final vote by Planning Commission.

There are three major reasons for this change. First, in light of the changes to state code, it will speed up approval of Preliminary Plats and decrease the disincentive to submit a Preliminary Plat. Second, sending Preliminary Plats to Council makes it nearly impossible to meet the state code's review deadlines for acting on subdivisions and opens the City up to legal challenges. Third, it is generally considered bad practice to subject by-right approvals to a public hearing vote by an elected body. Most surrounding localities do not require a Council public hearing for by-right subdivisions.

**City Manager's Recommendation:** Introduce an ordinance adopting the attached amendments to Chapter 74 of the City Code.