Attachment 1

RESOLUTION OF INTENT
SUBDIVISION TEXT AMENDMENT
MAINTENANCE OF PRIVATE IMPROVEMENTS

WHEREAS, pursuant to *Albemarle County Code* § 14-317 if a subdivision contains improvements not to be maintained by the County or any authority or other public agency, the subdivider must submit an instrument assuring the perpetual maintenance of the improvement; and

WHEREAS, pursuant to *Albemarle County Code* § 14-317 the instrument assuring the perpetual maintenance of the improvement is subject to the review and approval by the County Attorney; and

WHEREAS, pursuant to *Albemarle County Code* §14-104, neither the County nor any of its officers, employees or agents has any duty to enforce a private easement, covenant, agreement or restriction; and

WHEREAS, the approval process for an instrument assuring the perpetual maintenance of the improvement is costly and time-consuming for both the County and applicants; and

WHEREAS, alternative procedures to assure the perpetual maintenance of improvements can achieve the same or better results as the current procedures at reduced cost to the County and applicants; and

WHEREAS, it is desired to review and (as warranted) amend *Albemarle County Code* § 14-317.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare, and good zoning and development practices, the Albemarle County Planning Commission hereby adopts a resolution of intent to consider amending *Albemarle County Code* § 14-317 and any other sections of the Subdivision Ordinance deemed to be appropriate to achieve the purposes described herein.