

Amend the Subdivision Ordinance, by adding a new Section 101-1-12 (Validation of certain divisions of land recorded by metes and bounds or an unapproved plat before September 1, 1947.) to read as follows:

Section 101-1-12. Validation of certain divisions of land recorded by metes and bounds or an unapproved plat before September 1, 1947.

(a) All divisions of land undertaken by the recordation among the land records of Fairfax County prior to September 1, 1947, of a metes and bounds description or a plat not approved by the appropriate County board, agency or official that complied with all applicable provisions of the Zoning Ordinance in effect at the time the description or plat was recorded or all applicable provisions of the Zoning Ordinance in effect on March 25, 2003, except as noted in paragraph (b), are hereby validated and shall for all purposes be deemed to be in compliance with all provisions of the Subdivision Ordinance in effect at the time they were recorded as if they had fully complied with all provisions of said Subdivision Ordinance.

(b) Any lot or parcel that is the result of a division of land undertaken by the recordation among the land records of Fairfax County prior to September 1, 1947, of a metes and bounds description or a plat not approved by the appropriate County board, agency or official which did not comply with the lot area and/or lot width provisions of the Zoning Ordinance in effect at the time the description or plat was recorded or all applicable provisions of the Zoning Ordinance in effect on March 25, 2003, are hereby designated as outlots under the Subdivision Ordinance and shall not constitute buildable lots.

Amend the Subdivision Ordinance, by adding a new Section 101-1-13 (Validation of certain divisions of land created by the recordation of a County-approved plat.) to read as follows:

Section 101-1-13. Validation of certain divisions of land created by the recordation of a County-approved plat.

All purported subdivisions or divisions of land, even though the lot(s) or parcel(s) being subdivided was not a legally created lot or parcel, undertaken by the recordation of a plat approved by the appropriate County board, agency or official that complied with all applicable provisions of the Subdivision Ordinance and Zoning Ordinance in effect at the time of recordation are hereby validated and shall for all purposes be deemed to be in compliance with all provisions of the Subdivision Ordinance in effect at the time of recordation as if they had fully complied with all provisions of said Subdivision Ordinance.

Amend the Subdivision Ordinance by adding a new Section 101-1-14 (Validation of parcels) to read as follows:

Section 101-1-14. Validation of parcels.

(a) **QUALIFICATION FOR VALIDATION BASED ON DOCUMENTS RECORDED AFTER AUGUST 31, 1947.** A parcel of land described or depicted in a metes and bounds description or a plat not approved by the appropriate County board, agency or official, which description or plat was recorded among the land records of Fairfax County after August 31, 1947, is hereby validated even though such parcel had not been approved pursuant to the provisions of the Subdivision Ordinance in effect at the time of recordation if:

(1) The parcel created by such metes and bounds description or unapproved plat complied with all applicable provisions of the Zoning Ordinance in effect at the time the description or plat was recorded or at some time thereafter; and

(2) On March 25, 2003, or thereafter the parcel described in such metes and bounds description or depicted on such unapproved plat is included by Fairfax County as a separate parcel on the Fairfax County Real Property Identification Map; and

(3) On March 25, 2003, or thereafter the parcel described in such metes and bounds description or depicted on such unapproved plat is taxed as a separate parcel; and

(4) For parcels created after March 25, 2003, it has been more than two years since the recordation of a metes and bounds description or unapproved plat that purported to create said parcel.

(b) **VALIDATION PROHIBITED UNDER CERTAIN CIRCUMSTANCES.** Validation of a parcel created after March 25, 2003, shall not be available under this Section if, within two years of the recordation of a metes and bounds description or unapproved plat, the Director has sent, by certified mail, a notification to the owner at the last known address of the owner as shown on the current real estate tax assessment books or current real estate tax assessment records, that the parcel in question was not created in compliance with the requirements of the Subdivision Ordinance in effect at the time of recordation of the metes and bounds description or plat that purported to create said parcel.

Amend the Subdivision Ordinance by deleting Sections 101-2-6 (Validation of certain divisions of land.), 101-2-7 (Validation of certain parcels of land.), 101-2-8 (Validation of parcels.) and 101-2-9 (Validation of parcels developed with single family homes.) in their entirety and by renumbering the remaining sections as follows:

Section 101-2-6 (Condominium conversion and cooperative conversion documents.)

Section 101-2-7 (Special subdivision provisions.)

Section 101-2-8 (Fees.)