

Zoning Performance Agreement FAQs

When is a Zoning Performance Agreement and surety required?

The RS, RM, and MX Zoning Districts require certain amenities (street trees, street lights, buffer landscaping) be installed with the development of the property. Owners subdividing property must enter into a performance agreement and post surety when required improvements have not been constructed and accepted for maintenance prior to the recordation of the subdivision plat.

Is there a standard form?

Yes, please use the form titled [Performance Agreement for Zoning Ordinance Requirements](#) .

What types of surety can I use?

The Hanover County Zoning Ordinance permits surety to be posted in the form of a cash bond or letter of credit. Forms for each type of surety are available on the County website.

When do the required improvements need to be complete?

For subdivisions, or a section of a subdivision, that contain thirty (30) or more lots, the improvements shall be completed and accepted before building permits have been issued for the final six (6) lots within the subdivision or section;

For subdivisions, or a section of a subdivision, that contain fewer than thirty (30) lots but more than nine (9) lots, the improvements shall be completed and accepted before building permits have been issued for eighty (80) percent of the lots within the subdivision or section.

For subdivisions, or a section of a subdivision, that contain nine (9) or fewer lots (other than those determined by the board to be "in-fill" development in accordance with section 26-61(e)), the improvements shall be completed and accepted before the building permit for the final lot within the subdivision or section is issued.

All the improvements are completed, how do I request an inspection or release?

Contact the Planning Department, Business and Operations Manager at 804-365-6171 or by email at kemorton@hanovercounty.gov. The Planner will then inspect the subdivision and, if there are still outstanding items, will send out a punch list of items that will need to be completed and a timeframe to do so. If all items are completed, Hanover County will begin the process to release the bond.

Can I request an extension?

There is no process to request an extension of the improvements governed by the Zoning Ordinance Performance Agreement.

When does Hanover do inspections for improvements governed by the Zoning Ordinance Performance Agreement?

We will inspect the subdivision when the items are due to be completed (see above "When do required improvements need to be complete?"). If at that inspection the items are not complete, we will provide

a punch list of items that are not complete, and will schedule a final inspection in 45 days. All items must be complete at this final inspection or the County may proceed to call the surety.

What if I have questions about the specific improvements or punch list comments?

Please contact the Hanover County Planner assigned to the project at 804-365-6171.

What if I have questions about the process to request a release or other administrative items related to the surety?

Please contact the Planning Department, Business and Operations Manager at 804-365-6171 or by email at kemorton@hanovercounty.gov.