

**ORDINANCE NUMBER 23-O-048****AN ORDINANCE TO AMEND CHAPTER 31, UNIFIED DEVELOPMENT ORDINANCE OF THE CODE OF THE CITY OF SUFFOLK, ARTICLE 5, SUBDIVISION, SECTION 31-506(b)(2), MINOR SUBDIVISION, APPENDIX A, DEFINITIONS AND APPENDIX B, SUBMISSION REQUIREMENTS, B-9, FINAL PLATS OR SITE PLANS; OTA2022-002, AS AMENDED**

WHEREAS, the City of Suffolk, Virginia has initiated the aforementioned amendments to Chapter 31, Unified Development Ordinance, for the purpose of updating and improving clarity and consistency due to a change in circumstances; and,

WHEREAS, the specified amendments to the Unified Development Ordinance as shown in Exhibit "B" are in compliance with the 2035 Comprehensive Plan, as adopted; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A"; and,

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

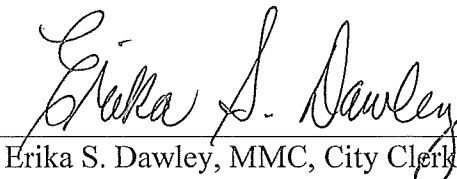
NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

- Section 1. That Exhibit "B," "Amendments to Chapter 31, Unified Development Ordinance, Article 5, Subdivision, Section 31-506(b)(2), Minor Subdivision, Appendix A, Definitions, and Appendix B, Submission Requirements, B-9, Final Plats or Site Plans of the Code of the City of Suffolk, Virginia" which is attached hereto, is hereby incorporated as part of this ordinance.
- Section 2. That Chapter 31, Unified Development Ordinance, Article 5, Subdivision, Section 31-506(b)(2), Minor Subdivision, Appendix A, Definitions, and Appendix B, Submission Requirements, B-9, Final Plats or Site Plans of the Code of the City of Suffolk, Virginia, is hereby amended to read as referenced in Exhibit "B," attached.
- Section 3. All phrases, clauses, sentences, paragraphs, subsections, sections and chapters of the Code not amended hereby remain in full force and effect.

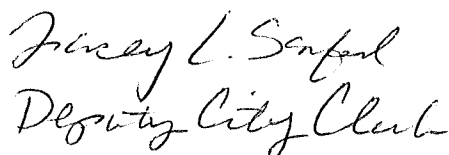
This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: APRIL 19, 2023

TESTE:

  
Erika S. Dawley, MMC, City Clerk

**A TRUE COPY**

  
Tracey L. Sanford  
Deputy City Clerk

**CITY OF SUFFOLK PLANNING COMMISSION  
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION  
TO CITY COUNCIL RELATING TO  
OTA2022-002**

**AN ORDINANCE TO AMEND CHAPTER 31, UNIFIED DEVELOPMENT ORDINANCE OF  
THE CODE OF THE CITY OF SUFFOLK, ARTICLE 5, SUBDIVISION, SECTION 31-  
506(b)(2)(A), MINOR SUBDIVISION, APPENDIX A, DEFINITIONS AND APPENDIX B,  
SUBMISSION REQUIREMENTS, B-9, FINAL PLATS OR SITE PLANS**

**WHEREAS**, the City of Suffolk, Virginia has initiated the aforementioned amendments to Chapter 31 of the Unified Development Ordinance for the purpose of updating and improving clarity and consistency due to a change in circumstances; and

**WHEREAS**, the specified amendments to the Unified Development Ordinance as shown in Exhibit "B" are in compliance with the 2035 Comprehensive Plan, as adopted; and

**WHEREAS**, the procedural requirements for the consideration of this request by the Planning Commission have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

The Suffolk Planning Commission finds that the proposed ordinance amendments are reasonable and warranted.

Section 2. Recommendation to City Council.

The Planning Commission recommends to the City Council of the City of Suffolk, Virginia that the proposed amendments be;

- a. Adopted as submitted without modification.
- b. Denied, and that Council not pass the proposed ordinance.
- c. Adopted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: September 20, 2022

TESTE: 

**“Exhibit B”**

**“Amendments to Chapter 31, Unified Development Ordinance, Article 5, Subdivision,  
Section 31-506(b)(2), Minor Subdivision, Appendix A, Definitions, and Appendix B,  
Submission Requirements, B-9, Final Plats or Site Plans of the Code of the City of Suffolk,  
Virginia”**

ARTICLE 5 - SUBDIVISION

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SEC. 31-506. - Classification of Applications and General Procedural Requirements

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(b) GENERAL PROCEDURE.

- (1) **CLASSIFICATION OF SUBDIVISIONS.** Applications for approval of a subdivision plat shall be classified as set forth in Subsections (2) and (3), below, for purposes of applying the procedures and standards prescribed in this Article.
- (2) **MINOR SUBDIVISION.** The following may be processed as a minor subdivision:
  - A. The division of any land that will result in the creation of not more than four (4) lots, including the parent tract, fronting on an existing street, not involving any new street or road, or the extension of public facilities or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan or the Ordinance may be processed as a minor subdivision unless otherwise provided herein.
  - B. New lots created in accordance with subsection A above must be located within the physical boundaries of their associated parent tract as it existed on March 1, 1970.
  - BC. Family transfers, in accordance with the procedures and standards of Section 31-514 of this Ordinance.
  - D. Final plats of minor subdivisions approved by the Director or his designee prior to April 19, 2023, as evidenced by the signature of the Director or his designee on minor subdivision plats recorded in the land records of the office of the Circuit Court Clerk of the City of Suffolk, shall not be rendered null and void for failure to meet the requirements of subsection A above.

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## APPENDIX A - DEFINITIONS

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**PARCEL IDENTIFICATION NUMBER:** A number or series of numbers assigned by the City which uniquely identifies each parcel of land in the City.

**PARENT TRACT:** A lot parcel, or tract of land legally established prior to March 1, 1970, of which a plat or legal description is recorded in the Circuit Court Clerk's Office.

**PARK:** Any public or private land available for recreational, educational, cultural, or aesthetic use.

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## APPENDIX B – SUBMISSION REQUIREMENTS

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### B-9. - FINAL SUBDIVISION PLATS OR SITE PLANS.

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(f) **TITLE.** The applicant shall submit two (2) copies of a title opinion prepared by an attorney or certificate of title insurance identifying the owners and persons of record having an interest in the property being subdivided and two (2) copies of existing or proposed private deed restrictions, if any. For minor subdivision plats, as outlined by Section 31-506(b)(2)(A) of this Ordinance, the applicant shall submit a title report prepared by a title examiner verifying the ownership and subdivision history of the parcel being subdivided including the parent tract A new application fee shall be submitted if the final plat has been tabled at the request of the applicant for over one year from the original date of submittal.

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**“Exhibit B”**

**“Amendments to Chapter 31, Unified Development Ordinance, Article 5, Subdivision,  
Section 31-506(b)(2), Minor Subdivision, Appendix A, Definitions, and Appendix B,  
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  - B. New lots created in accordance with subsection A above must be located within the physical boundaries of their associated parent tract as it existed on March 1, 1970.
  - BC. Family transfers, in accordance with the procedures and standards of Section 31-514 of this Ordinance.

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**APPENDIX A - DEFINITIONS**

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**PARCEL IDENTIFICATION NUMBER:** A number or series of numbers assigned by the City which uniquely identifies each parcel of land in the City.

**PARENT TRACT:** A lot parcel, or tract of land legally established prior to March 1, 1970, of which a plat or legal description is recorded in the Circuit Court Clerk's Office.

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