

**ORDINANCE NUMBER 11-O-086**

**AN ORDINANCE TO AMEND SECTION 31-410(c)(3), PLANNED DEVELOPMENT; SECTION 31-411(g)(2), USE PATTERNS, TRADITIONAL NEIGHBORHOOD DEVELOPMENT; AND SECTION 31-419(e) AND (f) MIXED USE DEVELOPMENT OVERLAY DISTRICT OF THE CITY OF SUFFOLK TO AMEND THE PHASING PLAN REQUIREMENT AND TO MODIFY THE APPLICABILITY OF JOBS-TO-HOUSING RATIO- OA04-11**

BE IT ORDAINED, by the Council of the City of Suffolk, Virginia, that Section 31-410(c)(3), Planned Development, Section 31-411(g)(2), Use Patterns, Traditional Neighborhood Development, and Section 31-419(e) and (f), of the Unified Development Ordinance of the Code of the City of Suffolk, Virginia, be and are hereby amended to read as follows:

**SEC. 31-410. (c)(3) - PLANNED DEVELOPMENT (PD).**

**(c) PERMITTED USES.**

(1) A PD district shall consist of two or more base zoning districts as permitted by the UDO.

(2) The uses permitted in the PD district shall be governed by the permitted uses in the underlying district or combination of underlying districts, except as permitted pursuant to Subsection (g) of this Section, as approved by the City Council.

(3) The City Council hereby finds that the proximity of jobs and retail uses to housing in a PD development can achieve significant trip reductions produced by the internal capture of home-work and home-retail trips. The City Council further finds and determines that non-residential uses should be established prior to as part of the residential uses in order to ensure that employment is created and the jobs-housing balance is maintained. ~~Accordingly, the applicant shall establish a phasing schedule for applications for site plan or subdivision plat approval as follows:~~

~~A. Zoning permits for 20 percent of all residential dwelling units may be issued concurrent or prior to the establishment of any non-residential uses.~~

~~B. Zoning permits for the next 50 percent (up to 70 percent) of all residential dwelling units shall not be issued prior to the substantial construction of not less than 30 percent of the non-residential floor area.~~

~~C. Zoning permits for the remainder (up to 100 percent) of all residential dwelling units shall not be issued prior to the substantial construction of not less than 75 percent of the non-residential floor area.~~

## SEC. 31-411. (g)(2) - USE PATTERNS.

### (g) TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) USE PATTERN.

(1) **PATTERN.** The TND district is designed to provide for the development of land along the lines of traditional neighborhoods. Its provisions adapt the urban conventions which were normal in the United States from colonial times until the 1940's. The neighborhood is spatially understood and limited in size. Residences, shops, workplaces, and civic buildings are interwoven within the neighborhood, all in close proximity. A hierarchy of streets serves equitably the needs of the pedestrian, the bicycle and the automobile. Carefully placed civic buildings and squares reinforce the identity of the neighborhood. Spatially defined squares and parks provide places for social activity and recreation. Civic buildings provide places of assembly for social, cultural and religious activities, becoming symbols of community identity through their architectural clarity. Private buildings form a disciplined edge, spatially delineating the public street space and the private block interior. Architecture and landscape respond to the unique character of the City and the Hampton Roads Region. TND implements Action 8D (page 58) of the Comprehensive Plan (2028 edition).

(2) **APPLICABILITY OF ADEQUATE PUBLIC FACILITIES STANDARDS.** The City Council hereby finds that the proximity of jobs and retail uses to housing in a TND development can achieve significant trip reductions produced by the internal capture of home-work and home-retail trips. The City Council further finds and determines that there is a compelling public interest to encourage new development to occur in accordance with the criteria set forth in this Section. Accordingly, the transportation review requirements of Section 31-601 of this Ordinance shall not apply to any application for a site plan or subdivision plat. ~~which establishes a phasing schedule as follows:~~

~~A. Zoning permits for 20 percent of all residential dwelling units may be issued concurrent or prior to the establishment any non-residential uses.~~

~~B. Zoning permits for the next 50 percent (up to 70 percent) of all residential dwelling units shall not be issued prior to the substantial construction of not less than 30 percent of the non-residential floor area.~~

~~C. Zoning permits for the remainder (up to one 100 percent) of all residential dwelling units shall not be issued prior to the substantial construction of not less than 75 percent of the non-residential floor area.~~

## SEC. 31-419. - MIXED USE DEVELOPMENT OVERLAY DISTRICT (MUD).

(e) **PHASING PLAN.** ~~The City Council finds that non-residential uses should be established prior to residential uses in order to ensure that employment is created and the jobs-to-housing balance is maintained. The applicant shall establish a phasing schedule for applications for a Mixed Use Development (MUD) Overlay District as follows:~~

~~(1) Zoning permits for 20 percent of all residential dwelling units may be issued concurrent or prior to the establishment of any non-residential uses.~~

~~(2) Zoning permits for the next 50 percent (up to 70 percent) of all residential dwelling units shall not be issued prior to the substantial construction of not less than 30 percent of the non-residential floor area.~~

~~(3) Zoning permits for the remainder (up to 100 percent) of all residential dwelling units shall not be issued prior to the substantial construction of not less than 75 percent of the non-residential floor area.~~

(f) **JOBS-TO-HOUSING RATIO.** No site plan for a Mixed Use Development within a Suburban site shall be approved unless designated floor area for the non-residential districts yields not less than 1.0 employee for each residential dwelling unit. The number of employees shall be computed by dividing total floor area in the zoning districts set forth in column "A," below, by the square footage per employee factor in Column "B," below:

(A) Zoning District	(B) SF/Employee
Retail Service	400
Office	250

Any MUD located as part of an Urban Infill Site shall identify non-residential portions of the project as part of the overall master plan of development.

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

READ AND PASSED: OCTOBER 19, 2011

TESTE: *Erika S. Dawley*  
Erika S. Dawley, City Clerk

**A TRUE COPY**

*Stacey L. Sanford*  
Deputy City Clerk

CITY OF SUFFOLK PLANNING COMMISSION

**A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO  
CITY COUNCIL RELATING TO AN ORDINANCE TO AMEND CHAPTER 31,  
UNIFIED DEVELOPMENT ORDINANCE OF THE CODE OF THE CITY OF  
SUFFOLK BY AMENDING ARTICLE 4, ZONING, SECTION 31-410(c)(3), PLANNED  
DEVELOPMENT, SECTION 31-411(g)(2), USE PATTERNS, TRADITIONAL  
NEIGHBORHOOD DEVELOPMENT, AND SECTION 31-419(e) and (f),  
MIXED USE DEVELOPMENT  
OA04-11**

**WHEREAS**, the City of Suffolk Planning Commission has initiated an amendment to the Unified Development Ordinance; and

**WHEREAS**, the specific request is that Article 4, Zoning, Section 31-410(c)(3), Planned Development, Section 31-411(g)(2), Use Patterns, Traditional Neighborhood Development and Section 31-419(e) and (f) be amended as referenced on the attached Exhibit A; 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 amendment is reasonable and warranted.

Section 2. Recommendation to Council

The Planning Commission recommends to City Council that the ordinance amendment be:

- ☒ a. Granted as submitted and that the City Council adopt the proposed Ordinance without modification.
- ☐ b. Denied, and that Council not adopt the proposed ordinance.
- ☐ c. Granted 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, 2011

TESTE: 