



MOTION: GRAHAM
SECOND: HOLMES

October 28, 2025
Regular Meeting
Ordinance No. 25-15

RE: Amending City Code Chapter 10, "Agencies, Authorities, Boards, Commissions and Committees" and Chapter 72, "Unified Development Ordinance" to Implement Changes to Local Development Review Processes Adopted by the 2025 Virginia General Assembly.

ACTION: APPROVED: Ayes: 7; Nays: 0

FIRST READ: October 14, 2025 SECOND READ: October 28, 2025

Sec. I. Introduction.

The 2025 General Assembly passed significant legislation aimed at streamlining local land use review and permitting processes. In addition to creating a work group to review subdivision and site plan processes to recommend efficiency improvements going forward, the legislature enacted a number of state code amendments that require corresponding updates to local ordinances for implementation.

Notable changes include SB 974, which removes the planning commission and local governing body as the approval authority for subdivision plats and site plans, giving that authority instead to an agent designated by the governing body. Additionally, HB2660 amends Virginia Code §§ 15.2-2259 and 15.2-2260 to shorten the timeframes for various government approvals of subdivision plats, site plans, and other plans of development.

The City Council adopted a resolution to initiate this text amendment at its meeting on August 26, 2025. The Planning Commission held its public hearing on the amendment on September 24, 2025, after which it voted to recommend the amendment to the City Council. The City Council held its public hearing on this amendment on October 14, 2025.

In adopting this ordinance, City Council has considered the applicable factors in Virginia Code § 15.2-2284. The City Council has determined that public necessity, convenience, general welfare and good zoning practice favor the requested text amendment.

Sec. II. City Code amendment.

1. Chapter 10, "Agencies, Authorities, Boards, Commissions and Committees," Article II, "Citywide Bodies," Section 10-332, "Purposes and Duties," of the Fredericksburg City Code is hereby amended to add the underlined language and delete the language shown in strikethrough as follows:

§ 10-332. Purposes and duties.

- A. The purposes and duties for which the Planning Commission has been established are:
- (1) Those set forth in this division;
 - (2) Those set forth in Code of Virginia, § 15.2-2210 et seq., entitled "Local Planning"; and
 - (3) Those otherwise prescribed by law or ordinance.
- B. The Planning Commission shall have the duty to:
- (1) Assemble such data regarding the City and adjacent territory as deemed to be necessary in exercising its functions, powers and duties;
 - (2) Analyze such data and make studies necessary in the preparation and review of the Comprehensive Plan for the City;
 - (3) Prepare, review, and recommend a Comprehensive Plan to be used as a general guide for the development of the City, with a plan update to be prepared every five years;
 - (4) Recommend appropriate procedures and ordinances for effectuating the plan;
 - (5) Exercise general supervision of, and make regulations for, the administration of its affairs;
 - (6) Prescribe rules pertaining to its investigations and hearings;
 - (7) Supervise its fiscal affairs and responsibilities, under rules and regulations as prescribed by the City Council;
 - (8) Keep a complete record of its proceedings, and be responsible for the custody and preservation of its papers and documents;
 - (9) Make recommendations and an annual and quarterly report to the City Council concerning the operation of the commission and the status of planning within its jurisdiction;
 - (10) Prepare, publish and distribute reports, ordinances and other material relating to its activities;
 - (11) Prepare and submit an annual budget in the manner prescribed by the City Council;
 - (12) If deemed advisable, establish advisory committees;
 - ~~(13) Review, make recommendations, and approve subdivision plans and plats;~~
 - ~~(14) Review, make recommendations, and approve final site plans;~~
 - (15) Review and make recommendations on special permit applications;
 - (16) Review and make recommendations on all amendments to the Zoning Map and Chapter 7872, pertaining to zoning; and
 - ~~(17) Advise and assist the City Council on all matters related to growth and development in the City and those other matters provided for in this division.~~

2. Chapter 72 of the Fredericksburg City Code, "Unified Development Ordinance," is hereby amended to add the underlined language and delete the language shown in strikethrough as follows:

§ 72-21.2. **Pre-application conference.**

- A. Purpose. A pre-application conference provides an applicant with information on the applicable provisions of this chapter. The conference also informs the applicant about the preparation of the application and allows an informal discussion of the application and the review process. The conference also familiarizes City staff with the characteristics of a property and its proposed use or development.
- B. Mandatory. Except for applications initiated by City staff, the Planning Commission, or the City Council, the pre-application conference between the applicant and the City staff shall be mandatory before submission of the following types of applications:
- (1) Zoning Map amendments (with or without proffers);
 - (2) Special use permits;
 - (3) Special exceptions; and
 - ~~(4) Subdivisions (preliminary plats);~~
 - ~~(5) Site plans; and~~
 - ~~(6)~~ (4) Changes of use, unless exempted by the Zoning Administrator and/or the Building Official.
- C. Optional. A pre-application conference is optional for any application other than those listed above, if desired by the applicant.
- D. Non-binding. The pre-application conference is intended to facilitate the application process. Discussions held within or in relation to a pre-application conference, and comments or information provided by any member(s) of the ~~Preliminary Plan~~ Technical Review Committee, are not binding on the City and shall not constitute any official action or decision of the City or its officers, agents or employees. Persons seeking official determinations or decisions from the City are required to officially submit an application in accordance with applicable provisions of this chapter.

* * * *

§ 72-21.7 **Development review structure.**

Table 72-21.7, Development Review Structure, summarizes the roles of the advisory and decision-making bodies that participate in the process of review and approval of applications required or authorized by this chapter.

Table 72.21.7: Development Review Structure						
D = Decision R = Review/Recommendation A = Appeal <D> = Public Hearing						
Specific Review Procedure	City Council	Planning Commission	BZA	ARB	Zoning Administrator	Development Administrator
ADMINISTRATIVE DECISIONS — ZONING						
Administrative Modification			<A>		D	
Corridor design review — all other than ARB	A				D	
Enforce and administer conditional zoning	A				D	
Fence permit			<A>		D	
Home occupation permit			<A>		D	
Nonconforming use, change			<A>		D	
Nonconforming use, minor expansion			<A>		D	
Residential lot grading plans					D	
Sign permit			<A>		D	
Site plan, commercial or residential; site plan exceptions					D	
Temporary use permit			<A>		D	
Zoning map interpretation			<D>		R	
Zoning permit			<A>		D	
Zoning verification					D	
LEGISLATIVE AND OTHER DECISIONS						
Certificate of appropriateness	A			<D>	R	
Certificate of public facilities	A	<D>				R
Comprehensive Plan amendment	<D>	<R>			R	
Special exception	<D>	<R>			R	
Special use permit	<D>	<R>			R	
Text amendment	<D>	<R>			R	
Zoning Map amendment	<D>	<R>			R	
-Conditional zoning	<D>	<R>			R	
-Planned Development	<D>	<R>			R	
Variance		R	<D>		R	
SUBDIVISIONS						
Administrative subdivision	A				R	D
Final plat for major subdivision					R	D

Final plat for minor subdivision with preliminary plat approval					R	D
Final plat for minor subdivision without preliminary plat	D	R			R	R
Preliminary plat for major subdivision	D				R	<u>R</u> <u>D</u>
Subdivision exception, administrative					R	D
Subdivision exception, major	<u>DA</u>				R	<u>R</u> <u>D</u>
Subdivision exception, minor	D				R	R

* * * *

§ 72-21.9 Notice of Certain Administrative Actions

A. Written notice. Written notice of administrative actions, when required by this article, shall be provided as follows:

- (1) The Administrator shall give, or require the applicant to give, all adjacent property owners written notice of the application, and an opportunity to respond to the application, within 21 days of the date of the notice.
- (2) Notice sent by certified mail to the last known address of such owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed adequate compliance with this requirement.
- (3) Notice sent by the Administrator may be sent by first class mail; however, a representative of the department shall make an affidavit that such mailings have been made and file such affidavit with the record of the application.

B. Website notice. When required by this article, the Administrator shall post notice of the application on the City's official website at least five days prior to any action on the application.

C. Posted notice. When required by this article, the Administrator shall post notice of the application on the subject property, in accordance with the standards in § 72-21.8.

D. No administrative action shall be declared invalid solely because of a failure to comply with the notice requirements in § 72-21.9 (A)-(C) above if such notice is not otherwise required by state law.

§ 72-22.1(l) Subsequent applications.

~~(1)~~ Once an application for a Zoning Map amendment, special use permit, special exception, variance, a certificate of appropriateness, or administrative modification has been officially submitted, substantially the same petition will not be accepted for reconsideration within a period of one year.

~~(2)~~ Following a denial of approval for a proposed site plan or subdivision plat, a land owner may modify, correct, and resubmit the site plan or subdivision plat for approval at any time. Each resubmission shall be processed as a discrete application, and shall be accompanied by the applicable fee(s) and required application materials.

* * * *

§ 72-25.1 Administration

- A. Applicability. This section governs review of subdivisions of land. It applies to all land proposed to be subdivided after October 7, 2013.
- B. General requirements.
- (1) If an owner of land wants to subdivide the land, he shall submit a plat of the proposed subdivision for approval in accordance with this section and other applicable requirements of this chapter, including Article 72-5.
 - ~~(a)~~ An applicant for an administrative subdivision shall submit a final subdivision plat to the Development Administrator for administrative approval.
 - (a) ~~(b)~~ An applicant for a minor subdivision may either follow the process for approval of both preliminary and final subdivision plats or submit a final subdivision plat for approval without submitting a preliminary subdivision plat.
 - (b) ~~(c)~~ An applicant for a major subdivision shall follow the process for approval of both preliminary and final subdivision plats.
 - (2) No land may be subdivided unless the subdivision is in compliance with this article and a final plat of the subdivision is recorded in the land records of the Clerk of the Circuit Court.
 - (3) The Clerk shall not record a subdivision plat unless it has been approved by the City and signed by the Development Administrator. The penalties in Code of Virginia, § 17.1-223, apply to a failure of the Clerk to comply with this section.
 - (4) The City will not issue a building permit for any lot created in violation of this chapter, or if a different ordinance was in effect at the time the land was subdivided, that ordinance, until the lot is shown on an approved and recorded final subdivision plat.
 - (5) No land in a subdivision may be transferred until the final subdivision plat for the

land is duly approved, bonded, and recorded. This does not prevent the recordation of the document by which the land is transferred or the passage of title between the parties to the document.

- (6) Subdivision plat submittal requirements are contained in the UDO procedures manual.
- (7) The Development Administrator may determine that a number of ~~administrative or~~ minor subdivision plats are in fact a ~~minor or~~ major subdivision if the plats relate to the same parcel or related groups of parcels. The Development Administrator may require the applicant to submit additional information necessary to make this determination, including, but not limited to, a copy of the tax map showing the land being subdivided and all lots previously subdivided from that tract of land within the previous five years.

C. Preliminary subdivision plats.

- (1) An approved preliminary subdivision plat is a guide for preparation of the ~~construction site~~ plan and final subdivision plat. The approval of the preliminary subdivision plat does not guarantee approval of the final subdivision plat.
- (2) The content and format of the preliminary subdivision plat must conform to the submittal requirements in the UDO Procedures Manual.
- (3) The process for preliminary subdivision plat approval is as follows:
 - (a) Before submitting a preliminary subdivision plat application, the applicant may ~~shall~~ participate in a pre-application conference with the Technical Review Committee.
 - (b) The applicant shall submit ~~the~~ a preliminary subdivision plat to the Development Administrator. A preliminary subdivision plat is officially submitted when the Development Administrator accepts the application under City Code § 72-21.6.

[1] If approval of a feature of the preliminary subdivision plat by a state agency or public authority is necessary, the Development Administrator shall forward the preliminary subdivision plat to the appropriate agency or authority within the time specified by Code of Virginia, § 15.2-2260. ~~10 business days of the applicant's official submission of the preliminary subdivision plat.~~

~~(c) The Development Administrator shall submit the preliminary subdivision plat to the Planning Commission with his recommendation on whether the plat meets the requirements of this chapter. This recommendation must identify all defects, list specific reference to the requirements that the defects violate, and describe modifications that would permit approval of the plat.~~

~~(d) The Planning Commission shall review the preliminary subdivision plat and make its recommendation on approval or disapproval to the City Council. The Development Administrator shall advise Council on whether the preliminary subdivision plat meets the requirements of this chapter. This recommendation must identify all defects, list specific references to the requirements that the defects violate, and describe modifications that would permit approval of the plat.~~

~~(e) City Council hearing. City Council shall hold a public hearing on major and minor preliminary subdivision plats.~~

(c) Public notice. Preliminary subdivision plat applications require written, website, and posted notice under § 72-21.9.

(d) ~~(f)~~ The Development Administrator ~~City Council~~ shall act on an application for approval of a ~~major~~ preliminary subdivision plat within the time specified by Code of Virginia, § 15.2-2260. Any deadline in this section may be extended with the written consent of the applicant.

(e) ~~(g)~~ If a preliminary subdivision plat is approved, it is valid for the applicable period specified in Code of Virginia, §§ 15.2-2260 and 15.2-2209.1, as applicable.

(f) ~~(h)~~ If a preliminary subdivision plat is disapproved, the reasons for denial and the modifications that would permit approval shall be set forth, in writing, by the Development Administrator, in accordance with Code of Virginia, § 15.2-2260. ~~for administrative subdivisions and by City Council resolution for minor and major subdivisions.~~

(g) ~~(i)~~ If the Development Administrator ~~City Council~~ does not act on a preliminary subdivision plat within the timeframes described in Code of Virginia, § 15.2-2260, ~~90 days of the official submission to the Development Administrator,~~ the subdivider, after 10 days' written notice to the Development Administrator ~~Clerk of Council~~, may petition the Circuit Court for relief, which may include directing approval of the preliminary subdivision plat.

D. Final subdivision plats - ~~administrative subdivisions, minor subdivisions with approved preliminary subdivision plats, and major subdivisions.~~

(1) The applicant shall submit the final subdivision plat to the Development

Administrator for administrative approval. A final subdivision plat is officially submitted when the Development Administrator accepts the application under City Code § 72-21.6.

- (2) The Development Administrator shall act on an application for approval of a final subdivision plat in accordance with Code of Virginia § 15.2-2259.
- (3) The subdivider shall record the approved final subdivision plat in the land records of the Circuit Court within six months of the Development Administrator's approval of the plat. If the plat is not recorded within this time, the Development Administrator's approval of the plat expires.
- (4) Once a final subdivision plat is approved and recorded, the plat is valid for the period allowed by Code of Virginia, §§ 15.2-2261 and 15.2-2209.1, as applicable. The Development Administrator may grant extensions of this approval, in accordance with Code of Virginia § 15.2-2261.
- (5) These requirements apply to every final subdivision plat submitted for approval:
 - (a) The final subdivision plat shall be prepared by a professional who is licensed to prepare such a plat. The professional shall endorse upon the plat the source of title of the owner of the land subdivided, in accordance with Code of Virginia, § 15.2-2262.
 - (b) Plat details shall meet the standards established by the State Library Board under the Virginia Public Records Act. Every plat shall contain a statement of consent to subdivision in conformance with Code of Virginia § 15.2-2264. The Development Administrator shall determine any additional content required for final plats and state them in the Procedures Manual.
 - (c) No final subdivision plat will be approved until the Zoning Administrator has approved any required commercial or residential site development plans.
 - (d) No final subdivision plat will be approved unless all performance guarantees required under § 72-27 have been posted.
 - (e) The content and format of the final subdivision plat must conform to the submittal requirements in the UDO Procedures Manual.

~~E. Final subdivision plats—minor subdivisions without an approved preliminary subdivision plat.~~

- ~~(1) The applicant shall submit the final subdivision plat to the Development Administrator. A final plat is officially submitted when the Development Administrator accepts the application under City Code § 72-21.6.~~
- ~~(2) The Development Administrator shall submit the final subdivision plat to the Planning Commission with his recommendation on whether the plat meets the~~

~~requirements of this chapter. This recommendation must identify all defects, list specific references to the requirements that the defects violate, and describe modifications that would permit approval of the plat.~~

- ~~(3) The Planning Commission shall review the final subdivision plat and make its recommendation on approval or disapproval to the City Council, without a public hearing. The Development Administrator shall advise Council on whether the plat meets the requirements of this chapter. This recommendation must identify all defects, list specific references to the requirements that the defects violate, and describe modifications that would permit approval of the plat.~~
- ~~(4) City Council hearing. City Council shall hold a public hearing on minor final subdivision plats.~~
- ~~(5) City Council shall act on an application for approval of a final minor subdivision plat after the public hearing. Any statutory deadline for a Council decision may be extended with the written consent of the applicant.~~
- ~~(6) Except as provided in Code of Virginia, § 15.2-2241(A)(8), the subdivider shall record the approved final subdivision plat in the land records of the Circuit Court within six months of the City Council's approval of the plat or such longer period as may be approved by City Council. If the plat is not recorded within this time, the City Council's approval of the plat is withdrawn. The plat shall be returned to the Development Administrator, who shall mark it "void."~~
- ~~(7) The provisions of § 72-25.1D(4) and (5) apply to minor subdivisions without approved preliminary plats.~~

- E. ~~F.~~ Exemptions. This article shall not preclude different owners of adjacent parcels from entering into a valid and enforceable boundary line agreement with one another so long as such agreement is only used to resolve a bona fide property line dispute, the boundary adjustment does not move by more than 250 feet from the center of the current platted line or alter either parcel's resultant acreage by more than 5% of the smaller parcel size, and such agreement does not create an additional lot, alter the existing boundary lines of localities, result in greater street frontage, or interfere with a recorded easement, and such agreement shall not result in any nonconformity with local ordinances and health department regulations. Notice shall be provided to the Zoning Administrator of the locality in which the parcels are located for review. For any property affected by this provision, any division of land subject to a partition suit by virtue of order or decree by a court of competent jurisdiction shall take precedence over the requirements of Article 6 (§ 15.2-2240 et seq.) and the minimum lot area, width, or frontage requirements in the Zoning Ordinance so long as the lot or parcel resulting from such order or decree does not vary from minimum lot area, width, or frontage requirements by more than 20%. A copy of the final decree shall be provided to the Zoning Administrator of the locality in which the property is located.

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§ 72-25.3. Exceptions to subdivision and site plan regulations.

- A. This section governs requests for exceptions to the general subdivision and site plan regulations. Requested exceptions shall be submitted as part of an application for subdivision or site plan approval. Exceptions may be granted in unusual situations or when strict adherence to the general regulations would result in substantial injustice or hardship.
- B. ~~City Council (for major and minor subdivisions) and~~ The Development Administrator (for administrative subdivisions) may approve exceptions to the general subdivision regulations. The Zoning Administrator may approve exceptions to the general site plan regulations.
- C. The applicant shall make all requests for exceptions in writing, stating specifically the provision from which the exception is requested and the grounds for the request. The applicant shall submit the request with the preliminary plat, final plat, or site plan application. All requests shall be accompanied by any plats, plans, drawings, and engineering documents required to allow the Development Administrator, or Zoning Administrator, ~~or City Council~~ to act on the application.
- D. The Development Administrator shall approve or disapprove requests for exceptions to ~~administrative subdivisions~~. The Development Administrator's decision will be rendered as part of the decision on the underlying site plan, rather than separately. The applicant shall provide written notice of the request as provided in § 72-21.9. The Development Administrator shall not decide on the request until the applicant provides evidence of that notice. The applicant may appeal the Development Administrator's decision to City Council within 14 days of the decision. City Council shall act on the decision within 30 days of receipt of the appeal and after written notice as provided in § 72-21.9. ~~The approval of Development Administrator's decision on the administrative subdivision plat will be held in abeyance while the appeal is pending. The decision of City Council is final.~~
- ~~E. City Council shall approve or disapprove requests for exceptions to minor and major subdivisions. City Council's decision will be rendered as part of the decision on the underlying plat, rather than separately from the plat.~~
- F. E. The Zoning Administrator shall approve or disapprove requests for exceptions to site plans. The applicant shall provide written notice of the request as provided in § 72-21.9. The Zoning Administrator shall not decide the request until the applicant provides evidence of that notice. The Zoning Administrator's decision will be rendered as part of the decision on the underlying site plan, rather than separately.

§ 72-25.4. Corrections and vacations.

A. ~~Corrections.~~ Changes to an approved preliminary subdivision plat, a minor or major subdivision plat, a final recorded subdivision plat, or an approved site plan may be corrected as follows:

- ~~(1) Changes to an administrative subdivision plat, minor subdivision plat, or site plan may be approved by the Development Administrator to correct errors or omissions, if those changes comply with the subdivision or site plan regulations and requirements of this chapter.~~
- ~~(2) Changes to a major subdivision plat may be approved by the Development Administrator to correct errors or omissions, if those changes comply with the subdivision or site plan regulations and requirements of this chapter without changing the density or impact of the project by more than 10%. More significant changes of major preliminary subdivisions may be approved by City Council, if those changes comply with the subdivision or site plan regulations and requirements of this chapter.~~

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§ 72-26.1. ~~Commercial and residential~~ Site development plans.

[. . .]

C. Review process.

- (1) Prior to the initial submission of an application seeking approval of a site plan, the owner or proprietor of land who desires to apply for site plan approval ~~shall~~ may file an application with the Zoning Administrator to attend the Technical Review Committee pre-application conference. The staff shall place the matter on the agenda of the next available meeting of the Technical Review Committee, and shall notify the applicant of the conference meeting date.
- (2) If an applicant has filed an application to attend the Technical Review Committee pre-application conference as outlined in Subsection C(1), ~~the~~ applicant shall make an initial submission of the proposed site plan for review. The Technical Review Committee shall thoroughly review the site plan and make a good faith effort to identify all deficiencies, if any, with the initial submission, and communicate same to the applicant. The applicant may submit a revised proposed site plan for final Technical Review Committee review, prior to making the official submission of the site plan.
- (3) The applicant shall make an official submission of a site plan, revised to address the Technical Review Committee's comments, if applicable. The site plan is officially submitted when it is delivered to the office of the Zoning Administrator accompanied by the application fee and all pertinent information. The Zoning Administrator shall act on any proposed site plan within the timeframes established in Code of Virginia, § 15.2-2259 ~~60 days after it has been officially submitted for approval~~ by either approving or disapproving the site plan in writing, and giving with the latter specific reasons therefor. This deadline may be extended with the

written consent of the applicant.

* * * *

§ 72-51.3. Lots

[...]

F. Outparcels

(1) The design of a subdivision shall not result in the creation of any remnant or outparcel of land having less than the minimum lot size; however, the ~~City Council for major and minor subdivisions and the Development Administrator for administrative subdivisions~~ may approve a proposed remnant or outparcel under the following circumstances:

[...]

* * * *

§ 72-84. Definitions.

[...]

SUBDIVISION — The division or consolidation of any lots, parcels, or tracts of land into one or more lots, or parcels, of any size, for the purpose of transfer or ownership or building development, and boundary line adjustment. The term, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

~~**SUBDIVISION, ADMINISTRATIVE** — Subdivisions involving no more than nine lots and shifts in lot lines or other boundary changes where no new lots are created.~~

SUBDIVISION, CLUSTER — An alternate means of subdividing a lot in the R-2 and R-4 Districts, premised on the concept of reducing lot size requirements for the provision of common open space within the development.

SUBDIVISION, CONVENTIONAL — The subdivision of a lot in the R-2 and R-4 Districts in accordance with the lot size requirements and bulk regulations specified in the district regulations.

SUBDIVISION, MAJOR — A subdivision of land involving more than 50 lots.

SUBDIVISION, MINOR — A subdivision of land that involves ~~10 to~~ 50 or fewer lots and

shifts in lot lines or other boundary changes where no new lots are created.

[...]

Sec. III. Effective date.

This ordinance shall be effective immediately.

Votes:

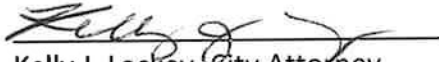
Ayes: Devine, Frye, Finn, Gerlach, Graham, Holmes, Mackintosh

Nays: None

Absent from Vote: None

Absent from Meeting: None


Approved as to form:



Kelly J. Lackey, City Attorney

Clerk's Certificate

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of **Ordinance No. 25-15** duly adopted at a meeting of the City Council held **October 28, 2025**, at which a quorum was present and voted.*



Molly Henderson
Clerk of Council