

14-R-0388

Alternate Version

RESOLUTION AMENDING THE HAMPTON ROADS SANITATION DISTRICT SERVICE AREA EXPANSION POLICY ADOPTED BY THE CHESAPEAKE CITY COUNCIL ON OCTOBER 21, 1997, TO REVISE THE PROCESS FOR CONSIDERATION OF EXPANSION REQUESTS BY THE CHESAPEAKE CITY COUNCIL.

WHEREAS, the Hampton Roads Sanitation District ("HRSD") has established service areas for its sewage disposal force mains, interceptors and gravity sewer lines (collectively referred to as "force main" or "force mains"); and

WHEREAS, the service areas generally extend one mile from an HRSD force main; and

WHEREAS, the City of Chesapeake ("City") occasionally receives requests from landowners or authorized agents to expend the HRSD service area beyond the one-mile limit to serve a particular piece of property proposed for development; and

WHEREAS, requests for expansion usually require additions or alterations to City utility facilities, including City pump stations and sewer lines; and

WHEREAS, due to the direct impact on the City's public utility systems, the Chesapeake City Council ("Council") deems it necessary to review and analyze all proposed requests for expansions of HRSD service areas; and

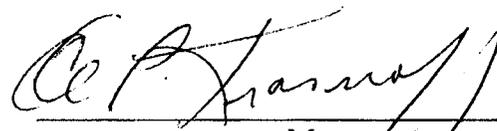
WHEREAS, on October 21, 1997, the Chesapeake City Council adopted a Service Area Expansion Policy; and

WHEREAS, the City wishes to amend the current Service Area Expansion Policy to provide a two-step process for Council's consideration of all expansion requests.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Chesapeake, Virginia that the attached amended Service Area Expansion Policy, which includes a revised process for Council's consideration of all expansion requests is hereby approved.

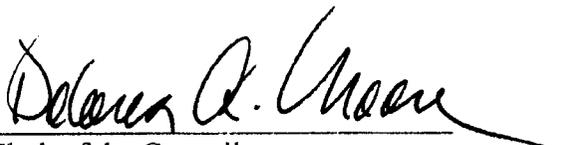
ADOPTED by the Council of the City of Chesapeake, Virginia this 20th day of May, 2014.

APPROVED:



Mayor

ATTEST:



Clerk of the Council

Alternate Version

Presented to the City Council for Consideration on May 20, 2014

AMENDMENT TO SERVICE AREA EXPANSION POLICY

The City of Chesapeake ("City") recognizes that the Hampton Roads Sanitation District ("HRSD") has established service areas for its sewage disposal force mains, interceptors and gravity sewer lines (collectively referred to herein as "force main" or "force mains"). These service areas generally extend one mile from an HRSD force main.

The City also recognizes that from time to time, a landowner or authorized agent will request HRSD to expand its service area beyond the one-mile limit to serve a particular piece of property proposed for development. Such expansions usually require additions or alterations to City utility facilities, including City pump stations and sewer lines. Due to this direct impact on the City's public utility system, the City Council deems it necessary to review and analyze all proposed expansions of HRSD service areas. For purposes of this policy, an expansion shall include any extension of sewage disposal services to a property located, in whole or in part, farther than one mile of an existing HRSD force main. In cases where a service area currently extends beyond this one-mile limit, an expansion shall be deemed to occur if sewage disposal services are offered to any property outside the boundaries of the HRSD service area as it exists on this 21st day of October, 1997. The service areas of City pump stations shall not be considered in determining the current boundaries of an existing HRSD service area.

To initiate an expansion of an HRSD service area, the landowner or authorized agent shall file an application with the City Manager or designee with an exhibit showing the location

of the property in relation to the HRSD service area boundaries as of October 21, 1997. The application shall also describe the proposed development in sufficient detail to estimate sewage flows from the property. Following receipt of a complete application, the City Manager or designee shall discuss the proposed expansion with HRSD to determine, at a minimum, whether the expansion is practicable and the extent and nature of the impact such an expansion would have on the capacity and operations of HRSD and City sewage facilities. The City Manager or designee shall not be authorized to make any type of commitment on behalf of the City during these discussions with HRSD. Upon receiving all pertinent information, the City Manager or designee shall prepare a report to the City Council setting forth HRSD's position on the proposed expansion. The application to expand the HRSD Service Area and the City Manager's report shall be presented to the City Council for consideration and action.

In reviewing the request, the City Council may consider the following factors and criteria:

1. The extent to which City utility facilities must be installed, altered or upgraded to accommodate the expansion of the HRSD service area and any adverse impact on the functional or operational integrity of the City utility system which may be generated by the expansion of the HRSD service area.
2. The fiscal obligations to be assumed by the City in the operation and maintenance of City utility facilities installed, altered or upgraded to accommodate the expansion of the HRSD service area as weighed against the public benefit to be realized by the expansion of the HRSD service area.

3. The impact the expansion may have on the capacity of the HRSD and City sewer facilities, including triggering the need for new HRSD facilities and any costs associated with same.

Upon consideration of all relevant factors, the City Council may i) approve the application, ii) approve the application with conditions deemed necessary to prevent adverse impact on the City's utility system or to otherwise protect and promote the health, safety and welfare of the residents of Chesapeake, iii) deny the application, or iv) continue the application for additional information or other good cause. Until final action is taken by the City Council, no preliminary or final site plan or subdivision plan relating to the project shall be approved by the City; nor shall any discretionary land use proposals, including rezonings and conditional use permits, be advertised for a public hearing before the Planning Commission or the City Council.

All requests for the expansion of an HRSD service area shall be processed within a reasonable time period.

ADOPTED by the Council for the City of Chesapeake, Virginia this 20th day of May, 2014.

APPROVED:


Mayor

ATTEST:


Clerk of the Council