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DOCKET ITEM:  
NB-B

October 21, 2015

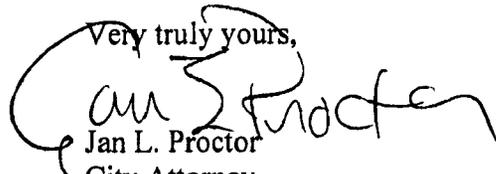
TO: Mayor Krasnoff, Vice Mayor de Triquet and Members of the City Council

Re: **RESOLUTION REQUESTING THE CHESAPEAKE PLANNING COMMISSION TO CONSIDER AND MAKE RECOMMENDATIONS CONCERNING PROPOSED AMENDMENTS TO SECTIONS 12-700 THROUGH 12-723 OF THE CHESAPEAKE ZONING ORDINANCE AND TO THE PROCEDURAL AND ARCHITECTURAL GUIDELINES OF THE BOARD OF HISTORIC AND ARCHITECTURAL REVIEW CONCERNING THE ADMINISTRATION OF THE PROCEDURAL AND ARCHITECTURAL GUIDELINES AND STANDARDS APPLICABLE TO THE SOUTH NORFOLK HISTORIC AND CULTURAL PRESERVATION OVERLAY DISTRICT.**

Pursuant to the request of Council Member Ritter, please find enclosed a resolution initiating amendments to Section 12-700 et seq. of the Chesapeake Zoning Ordinance to i) make adjustments to the boundaries of the South Norfolk Historic and Cultural Preservation District, as may be warranted, ii) exempt certain non-contributing buildings and structures from the requirements of the Historic and Cultural Preservation District ordinance and guidelines; and iii) upon recommendation of the Historic Preservation Commission, make revisions to the architectural guidelines and procedural guidelines for the Historic and Cultural Preservation District.

The adoption of the enclosed initiating resolution will send the proposed amendments to the Planning Commission for review and recommendation. The amendments will then come to the City Council for final action.

Please advise if you have any questions or concerns regarding this resolution.

Very truly yours,  
  
Jan L. Proctor  
City Attorney

JLP:hvm  
Enclosure

cc: James E. Baker, City Manager  
Jaleh M. Shea, Director, Planning Department

**RESOLUTION REQUESTING THE CHESAPEAKE PLANNING COMMISSION TO CONSIDER AND MAKE RECOMMENDATIONS CONCERNING PROPOSED AMENDMENTS TO SECTIONS 12-700 THROUGH 12-723 OF THE CHESAPEAKE ZONING ORDINANCE AND TO THE PROCEDURAL AND ARCHITECTURAL GUIDELINES OF THE BOARD OF HISTORIC AND ARCHITECTURAL REVIEW CONCERNING THE ADMINISTRATION OF THE PROCEDURAL AND ARCHITECTURAL GUIDELINES AND STANDARDS APPLICABLE TO THE SOUTH NORFOLK HISTORIC AND CULTURAL PRESERVATION OVERLAY DISTRICT.**

**WHEREAS**, Sections 12-720 and 12-721 of the Chesapeake Zoning Ordinance establish the existence and boundaries of the South Norfolk Historic and Cultural Preservation Overlay District (“HC District”); and

**WHEREAS**, Section 12-703 of the Chesapeake Zoning Ordinance requires that all buildings, structures, landmarks, areas, and premises within the HC District be subject to the requirements of the HC District regardless of whether such features contribute to the historic, cultural, or architectural character of the HC District; and

**WHEREAS**, the City Council has determined that substantial review and study are needed to determine whether the boundaries of the HC District are adequately and appropriately drawn to incorporate those structures and features that contribute to the historic, cultural, and architectural character of South Norfolk; and

**WHEREAS**, the City Council has determined that substantial review and study are needed to determine whether the application of the requirements of the HC District to all buildings, structures, landmarks, areas, and premises regardless of whether such features enhance the historic, cultural, and architectural character of the HC District effectively promotes the interests of historic and cultural preservation, quality of life, and preservation of property rights and values in the HC District; and

**WHEREAS**, Section 12-705 of the Chesapeake Zoning Ordinance establishes the Board of Historic and Architectural Review (“ARB”) responsible for administering the procedural and architectural guidelines and standards adopted under the Chesapeake Zoning Ordinance and applicable to the HC District; and

**WHEREAS**, Chapter 2, Article V, Division 19 of the Chesapeake City Code creates the Historic Preservation Commission and provides that the Commission shall have the duty of developing recommendations concerning architectural guidelines and the inclusion of properties and historic structures with the HC District; and

**WHEREAS**, Sections 12-706 and 12-707 of the Chesapeake Zoning Ordinance require that the City Council approve procedural and architectural guidelines governing the issuance by the ARB of certificates of appropriateness for the repair or replacement of visible architectural components of properties in the HC District; and

**WHEREAS**, Section 12-708 of the Chesapeake Zoning Ordinance provides for issuance of general certificates of appropriateness under uniform criteria set out in the procedural architectural guidelines, upon findings that particular materials, designs, architectural features or styles and other characteristics are generally acceptable and appropriate within the HC District; and

**WHEREAS**, Section 12-708 of the Chesapeake Zoning Ordinance provides for issuance of certificates of appropriateness by the ARB for new construction, additions, and substantial renovation of structures in the HC District; and

**WHEREAS**, Section 12-706 of the Chesapeake Zoning Ordinance requires that substantive changes to the procedural guidelines relating to criteria for general certificates of

appropriateness and temporary certificates of appropriateness be enacted by City Council in the same manner as amendments to the Chesapeake Zoning Ordinance; and

**WHEREAS**, Section 12-707 of the Chesapeake Zoning Ordinance requires that changes to architectural guidelines be enacted by City Council in the same manner as amendments to the Chesapeake Zoning Ordinance; and

**WHEREAS**, on or about November 28, 2000, the City Council adopted the South Norfolk Historic and Cultural Preservation Overlay District Design Guidelines (“Guidelines”), which Guidelines have been amended from time to time in the same manner as amendments to the Chesapeake Zoning Ordinance; and

**WHEREAS**, the City Council has determined that substantial review and study of the Guidelines are needed to determine whether the procedural and architectural requirements and standards contained therein adequately and effectively promote the interests of historic and cultural preservation, quality of life, and preservation of property rights and values in the HC District; and

**WHEREAS**, the Guidelines identify the criteria for issuance of general certificates of appropriateness by the Director of Planning or her designee; and

**WHEREAS**, the City Council has determined that substantial review and study are needed to determine whether the criteria for issuance of general certificates of appropriateness contained in the Guidelines should be expanded, clarified, or otherwise amended; and

**WHEREAS**, the Guidelines provide limited guidance concerning new construction, additions, and substantial renovation of structures in the HC District; and

**WHEREAS**, the City Council has determined that substantial review and study are needed to determine whether the standards for new construction, additions, and substantial renovations of structures in the HC District should be expanded, clarified, or otherwise amended; and

**WHEREAS**, the City Council has determined that substantial review and study of Sections 12-700 through 12-723 of the Chesapeake Zoning Ordinance and of the Guidelines are needed to determine whether other aspects of the administration of procedural and architectural guidelines and standards in the HC District should be amended in order to adequately and effectively promote the interests of historic and cultural preservation, quality of life, and preservation of property rights and values in the HC District.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Chesapeake, Virginia that the Planning Commission is hereby requested to consider and make recommendations to City Council concerning proposed amendments to Sections 12-700 through 12-723 of the Chesapeake Zoning Ordinance and to the South Norfolk Historic and Cultural Preservation Overlay District Design Guidelines, and any necessary or correlating amendments, to allow for the appropriate identification and delineation of the South Norfolk Cultural and Historical Preservation Overlay District and the effective application and administration of appropriate procedural and architectural guidelines and standards for the District.

**BE IT FURTHER RESOLVED** by the Council of the City of Chesapeake, Virginia that the Historic Preservation Commission provide recommendations to the Planning Commission relating to the identification and delineation of the South Norfolk Cultural and Historical Preservation Overlay District and any proposed amendments to the adopted

Procedural Guidelines and the South Norfolk Historic and Cultural Preservation Overlay  
District Design Guidelines.

**ADOPTED** by the Council of the City of Chesapeake, Virginia this \_\_\_\_\_ day of  
\_\_\_\_\_, 2015.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk of the Council