

Department of Planning
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2035 PUBLIC UTILITY FRANCHISE AREA EXPANSION INSTRUCTIONS

PURPOSE

The 2035 Comprehensive Plan identifies as one of the key strategies to manage growth in the city is to control the timing and location of public infrastructure, including public utilities. For this reason, the 2035 Comprehensive Plan contains policy statements that public water and sewer service will only be provided to those areas within the existing Public Utility Franchise Area (Franchise Area) or areas designated to be added to the Franchise Area within the window of the Plan (2035). The extension of public utilities (public water and sewer) within the existing Franchise Area does not require review by Planning Commission or City Council. However, expansions within the 2035 Franchise Area require review by City Council to ensure the expansion is consistent with the 2035 Comprehensive Plan and would not prematurely result in new growth that is beyond the City's capacity to accommodate the growth.

In reviewing requests for the extension of public water and/or sewer service, the City Council may consider the following factors:

1. The request shall only be for the property or properties being proposed for development.
2. The property must be located within an area designated as future Public Utility Franchise Area.
3. The proposal establishes a contiguous pattern of expansion from existing water and sewer service areas, without promoting "leapfrog" development.
4. The property must also lie within an H.R.S.D. service area and must meet all utility-related ordinances and policies.
5. The timing, nature, character, and extent of public utilities needed to serve the proposed use are consistent with the Comprehensive Plan and all other Public Utility policies. The proposal must clearly demonstrate that it helps to achieve specified goals and policies in the Comprehensive Plan.

PURPOSE (continued)

6. The obligations to be assumed by the City of Chesapeake shall be weighed against the public benefit to be realized by the expansion of the Public Utilities Franchise Area.
7. The proposal contains proffered improvements or mitigation measures that would minimize the capital impact to the City for the utility extension. The developer shall be responsible for all costs associated with the utility extension with no cost being borne by the City.
8. The proposal must be coordinated in a timely fashion with the anticipated expansion or improvement of roadways in the area served by the utility extension. The utility extension should not encourage growth in advance of the provision of road improvements sufficient to serve the new development.
9. The proposal must demonstrate that it is within the City's ability to be served by a long term water supply system.
10. To the maximum extent possible under Virginia law, the City of Chesapeake will manage the pace of growth in order to ensure the demands of growth do not outpace the capacity to provide the necessary services and infrastructure.

Expansion of Public Utility Franchise Area beyond those areas designated on the 2035 Public Utility Franchise Area map will require an amendment to the Comprehensive Plan.

REVIEW PROCESS

Consult the Planning Department for a determination as to whether or not the property is located within the 2035 Franchise Area. Consideration for these factors may be conducted simultaneously with a request for rezoning or a conditional use permit, or separately when a rezoning or conditional use permit is not required. This form is to be used for those expansion requests that are not part of a rezoning or conditional use permit.

There is no deadline for submitting an application for a Public Utility Franchise Area Expansion. All applications are to be submitted to the Planning Department.

The Planning Department will review the application for completeness. Once the application is deemed to be complete, the Planning Department will consult with the Department of Public Utilities, Department of Development and Permits and School Administrative for assistance in determining if the factors for an expansion have been satisfactorily addressed. Once staff review is complete, the Planning Department will request the City Clerk to schedule the application for a public hearing before the City Council.

REVIEW PROCESS (continued)

The Planning Department will compile departmental comments, the applicant's response to the comments, staff analysis and staff recommendation into a staff report. The Planning Department will forward a copy of the application and staff report to the City Clerk for distribution each City Council member. At this time, the staff report will be available on-line for review by the applicant, agent and interested citizens by visiting:

http://www.cityofchesapeake.net/Government/council/council_meeting_info/agenda.htm and clicking on the Upcoming Agenda date.

All staff reports are available for review in the Planning Department.

The City Council will hold a public hearing on a date determined by the City Clerk. The public hearing is open to all citizens. The applicant must attend the City Council meeting. At the public hearing, the City Council will hear proponents and opponents of the application, as well as staff comments and recommendations. The Council will consider all information and take one of the following actions: approve the application as being consistent with the adopted Comprehensive Plan; approve with stipulations; or disapprove the application.

2035 PUBLIC UTILITY FRANCHISE AREA EXPANSION

APPLICATION REQUIREMENTS

1. Original application, including all required information, and two (2) copies of the completed application. All information must be typed or clearly printed on the application and 8½" x 11" paper as needed.
2. Fifteen (15) copies of a map showing the properties to be served by the public utility expansion.
3. Fifteen (15) copies of a conceptual plan identifying the proposed routing of off-site water lines and sewer force mains and the proposed location of pump station(s), if needed, to serve the project.
4. One (1) copy of the tax map parcel on 8½" x 11" paper with the parcel highlighted.
5. Any additional drawings, pictures, or information, which will assist the City Council in making their decision.



**2035 PUBLIC UTILITY FRANCHISE AREA EXPANSION
APPLICATION**

APPLICATION NUMBER: _____
(Assigned by Chesapeake Planning Department)

GENERAL INFORMATION

Project Name: _____

1. Applicant(s): _____
Address: _____
City: _____ State: ____ Zip: _____
Daytime Phone: _____ FAX Number: _____
E-mail address: _____
Interest in subject property: _____

2. Agent(s): _____
Agency: _____
Address: _____
City: _____ State: ____ Zip: _____
Daytime Phone: _____ FAX Number: _____
E-mail address: _____

3. Owner(s) of property: (If different from applicant)
Name: _____
Address: _____
City: _____ State: ____ Zip: _____
Daytime Phone: _____ FAX Number: _____
E-mail address: _____

DECLARATION

APPLICATION NUMBER: _____

PRIMARY TAX MAP NUMBER: _____

DECLARATION OF PLANNING COMMISSION / CITY COUNCIL INTEREST:

Does any member of the Planning Commission or City Council own or have any personal or financial interest in the land which is subject to this application, or has any personal or financial interest in the outcome of the decisions, as defined by the Virginia Conflict of Interest Act? No Yes If yes, please explain:

DECLARATION OF ACCURACY:

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that wrongful certification or failure to provide required or requested documents that become available after the initial submittal of this application may result in a delay in, or invalidation of, any official governmental action taken. Fraudulent representations may lead to additional penalties under law.

DECLARATION OF FINANCIAL RESPONSIBILITY FOR ADVERTISING COSTS:

I, the undersigned, understand that the cost of newspaper advertising for public hearing notification purposes is my responsibility and agree to pay all notices of payment due and bills associated with advertising costs for this application, including all readvertisements for continuances and appeals. *Party responsible for advertising:* Applicant Agent

DECLARATION OF CONSENT:

I, the undersigned, consent to entry upon the subject property by public officers, employees, and agents of the City of Chesapeake wishing to view the site for purposes of processing, evaluating or deciding this application.

Applicant/Owner: _____

Applicant/Owner: _____

Applicant/Owner: _____

Agent: _____

DESCRIPTION OF PROPERTY

1. List all 13-digit Tax Map Number(s) of properties to be served by expansion:

-----, -----, -----,
-----, -----, -----,
-----, -----, -----.

2. Street Address (or common description if address is not available):

3. Borough: _____

4. Legal Description of the Property: _____

5. Physical location of the property including boundaries to the north, south, east, and west. State the street frontage, depth, and overall size in square feet/acreage:

DESCRIPTION OF PROPERTY (continued)

- 6. Zoning Information:
 - a. Zoning Sheet(s): _____
 - b. Current Zoning Classification(s), acreage of each zoning classification, and present use of the property: _____

 - c. Zoning Overlay District Classification(s), or any special district established in the City Code, where applicable:

- 7. Check the Land Use Plan Overlay District in which the property is located:
 Urban Suburban Rural

- 8. Land use designation of the property as contained in the City's Comprehensive Plan:

- 9. Planning Area: _____

DEVELOPMENT INFORMATION

Applicants must provide the following information on 8½ " x 11" size paper, numbered according to the questions in this section. Please restate the questions with your answers. All parts of the development information must be completed unless otherwise noted or expressly waived by in whole, or in part, by the Planning Director or respective reviewing department.

NATURE OF PROPOSED DEVELOPMENT

1. a. Describe the nature of the use or uses proposed for the subject property and other properties that could be served if the public utility franchise area is expanded.
- b. Describe the potential for development, including the total number of residential units, total square feet of office, commercial, and industrial uses.

TRAFFIC IMPACT

2. Include any supporting information for the following:
 - a. What is the current average daily traffic (ADT) of the adjacent roadway(s)? State the date and source of the counts. Traffic Engineering may request electronic files of the raw count data. If a current traffic count for the adjacent roadway(s) is not available, the Department of Development and Permits may request a count after submittal of this application. If requested, the count must include a 24-hour count for a minimum of three consecutive weekdays. Additionally, the Department of Development and Permits may request turning movement counts (TMCs) at an intersection during morning and evening peak hours for a minimum of two consecutive weekdays.
 - b. Describe how traffic ingress and egress would be provided between the subject property and the existing abutting and intersecting roads (Are U-turns necessary? Is there a proposed median break? Is there shared access? Etc.) State whether traffic devices, such as signals and turn lanes, would be required to provide safe ingress and egress.
 - c. A Traffic Impact Analysis (TIA) may be required depending on acreage, zoning, proposed vehicle trips, level of service of existing facilities, and/or other factors. If the need for a TIA is uncertain, contact Traffic Engineering.

Is a Traffic Impact Analysis required?

No Yes If yes, contact Traffic Engineering regarding the scope of the analysis.

Yet to be determined by Traffic Engineering.

WATER AND SEWER IMPACT

3.
 - a. State the location of the nearest water and sewer lines which could accommodate flows generated by the potential development.
 - b. State the estimated water and sewer demand to be generated by the potential development including the basis for the water and sewer demands estimated for the project (i.e. GPD per acre or dwelling). For office and institutional, commercial, and industrial developments, identify peak demands in addition to average demands.
5. Describe the plan for meeting the anticipated water and sewer demands including methodologies used to determine that existing facilities will be able to provide or handle the additional flows (see Public Utilities for assistance).
6. Submit a conceptual plan identifying the proposed routing of off-site water lines and sewer force mains and the proposed location of pump station(s), if needed, to serve the project.

2035 PUBLIC UTILITY FRANCHISE AREA EXPANSION CRITERIA

Describe how this project and public utility franchise area expansion request satisfies the following factors for the extension of public water/sewer beyond the “Existing Franchise Area” into the “2035 Public Utilities Franchise Area.” Please restate the questions with your answers:

1. Is the expansion proposed to serve only the property or properties being proposed for development?
2. Is the property located within an area designated as future 2035 Public Utility Franchise Area?
3. Describe how the proposal establishes a contiguous pattern of expansion from existing water and sewer service areas and does not promote “leapfrog” development.
4. Does the property lie within an H.R.S.D. service area and meet all utility-related ordinances and policies?
5. Describe how the timing, nature, character, and extent of public utilities needed to serve the proposed use is consistent with specified goals and policies of the Comprehensive Plan and all other Public Utility policies
6. Describe how the obligations to be assumed by the City of Chesapeake for the expansion weigh against the public benefit to be realized by the expansion of the Public Utilities Franchise Area.
7. Describe any proffered improvements or mitigation measures that would minimize the capital impact to the City for the utility extension. Note: The developer shall be responsible for all costs associated with the utility extension with no cost being borne by the City.
8. Describe how the proposal is coordinated with anticipated expansion or improvement of roadways in the area served by the utility extension and how the utility extension will not encourage growth in advance of the provision of road improvements sufficient to serve the new development.
9. Describe how the proposal is within the City’s ability to be served by a long term water supply system.
10. Describe how the demands of the growth that could result from the expansion of the Public Utilities Franchise Area will not outpace the City’s capacity to provide the necessary services and infrastructure.

2035 FRANCHISE AREA EXPANSION APPLICATION CHECKLIST

The following items are required as part of the 2035 Franchise Area Expansion application:

- The original application, including all required information. All information must be typed or clearly printed on the application and 8½" x 11" paper as needed. *Please include this checklist with the original application.*
- Two (2) copies of the completed application. *Please copy only the application including this completed checklist.*
- Fifteen (15) copies of a map showing the properties to be served by the public utility expansion.
- Fifteen (15) copies of a conceptual plan identifying the proposed routing of off-site water lines and sewer force mains and the proposed location of pump station(s), if needed, to serve the project.
- Two (2) copies of the maps reduced to 11" x 17" paper.
- Two (2) copies of the maps reduced to 8½" x 11" paper.
- One (1) copy of the tax map parcel(s) on 8½" x 11" paper with the parcel(s) highlighted.
- Any additional drawings, pictures, or information, which will assist the Planning Commission in making their decision.
- The applicant is responsible for all newspaper advertising. **The applicant will be billed separately for these costs.** The average cost is \$400 to \$1000. All additional advertising costs incurred due to continuances will also be the responsibility of the applicant. City Council advertisement fees will be billed by the Virginia Pilot.
- This completed 2035 Franchise Area Expansion checklist.