



DEVELOPMENT ADVISORY 58

July 21, 2021

The City of Chesapeake revised Article 16, Section 16-102; Article 17, Section 17-102; and Article 20, Section 20-102 of the Chesapeake Zoning Ordinance, to remove the Planning Department application fee schedule from the Zoning Ordinance to facilitate the adoption of a separate fee schedule as part of the annual budget and to amend certain planning application requirements.

The revisions modified the Zoning Ordinance in two ways. First, it removed application fees from the Zoning Ordinance which allows City Council to adopt revisions as part of the annual budget process. The new fees are listed below for your convenience.

Planning Department Fee Schedule

Version Dated 06-21-2021

Fee Type	Amount
Advertising Fee Reimbursement	Billed by City Planning Department
After-the-fact South Norfolk Certificate of Appropriateness	\$250
Agricultural Division	\$250
CBPA Committee Application Fee	\$150
CBPA Exception Application Fee (may require water quality impact assessment)	\$300
Certificate of Appropriateness	\$ -0-
Conditional Use Permit Application	\$850
Conditional Use Permit for Excavation / Borrow Pit Application	\$850
Conditional Use Permit for Solid Waste Management Facility Application	\$850
Conservation Division	\$60
Environmental Site Assessment Review, Phase I	\$1,600
Environmental Site Assessment Review, Phase II	\$2,300
Preliminary Subdivision Application & E-911 Mapping Fee	\$930 + \$100/acre
Preliminary Site Plan Residential Application & E-911 Mapping Fee	\$930 + \$100/acre
Public Hearing Signs	Billed by City Planning Department as Required
Public Utility Franchise Area Expansion	\$ -0-
PUD Deviation Application	\$200
PUD Modification & Criteria Amendment Application	\$500 + \$50/acre
PUD Zoning Certification Letter	\$50
Resubdivision	\$250
Rezoning Application	\$930 + \$100/acre
Section 15.2-2232 Review Application	\$ -0-

Fee Type	Amount
Special Exception Application	\$ 100
Street Closure Application	\$200
Subdivision Ordinance Variance	\$580
Subdivision Plat Review Fee	\$60
Subdivision & Street Name Change	\$250
Validation of Plat Review	\$60
Photocopies and Printouts	First 10 copies free, \$0.10 per copy thereafter

The second portion amended the application requirements for conditional use permit and rezoning applications, with a focus on streamlining the review process. While adjustments are being made to what is required for all applications, the Zoning Ordinance still states, *“Notwithstanding such criteria listed above, the planning director, the planning commission or the city council may at any time during the review process find that essential information is lacking and may deem the application incomplete and defer further review or action until such time that such information is provided.”* Therefore, any additional information necessary for a complete and full review of an application can be required at any point during the process.

Changes include:

Section	Requirement	Justification
16-102.B.8	The land use designation of the property contained in the city's adopted Comprehensive Plan.	Staff will determine this designation as part of their review.
16-102.B.9	A complete statement addressing the considerations set out in section 16-106.B.3. below to the satisfaction of the planning director or designee.	Section 16-106.B.3 sets out finding requirements to be included in the report to City Council. These requirements are included as part of the staff review, and do not need to be addressed as part of the application. If additional information is necessary to determine these findings, staff / Planning Commission / City Council can request it as part of the review.
16-102.B.11	A map showing all property within 500 feet of the perimeter of the property which is the subject of the application, indicating the zoning and existing uses of such land.	This information is readily available to staff and can be burdensome to find for some applicants.

Section	Requirement	Justification
16-102.B.13	A statement explaining how the property will be served adequately by essential public facilities and services.	Exempts those applicants who have opted out under Virginia Code 15.2-2303.4(D).
16-102.B.16	A statement as to whether the property subject to the application is located within one or more of the special overlay districts	This information is readily available to staff and can be burdensome to find for some applicants.
16-102.B.18	Phase I Environmental site assessment for residential, assembly, day care, group home, recreation, school, library, or similar uses	Changes for a waiver with concurrence of D&P and Public Works if sufficient documentation is provided that demonstrates that land disturbance does not pose a significant risk to the environment, or the public health and safety, along with the submission of a certification and assumption of risk holding the City harmless for any actions or liability that result.
16-102.B.21	Require a certificate affirming all proffers are voluntary, reasonable, and offered in accordance with the dictates of the Virginia Code.	Exempts those applicants who have opted out under Virginia Code 15.2-2303.4(D). The opt-out provision takes the place of the certificate.
17-102.B.5	The zoning classification and present use of the subject property.	This information is readily available to staff and can be burdensome to find for some applicants.
17-102.B.7	A statement specifically addressing the factors for review set out in section 17-106 below.	Section 17-106 sets out finding requirements to be included in the report to City Council. These requirements are included as part of the staff review, and do not need to be addressed as part of the application. If additional information is necessary to determine these findings, staff / Planning Commission / City Council can request it as part of the review.
17-102.B.8	A depiction of how the site and proposed uses will be screened from neighboring properties zoned for or containing less intensive uses. Such screening shall at a minimum meet the requirements of section 19-600 et seq. of this ordinance.	This is assessed as part of the staff review, and do not need to be addressed as part of the application. If additional information is necessary to determine these findings, staff / Planning Commission / City Council can request it as part of the review.
17-102.B.9	A statement as to how the proposed conditional use is to be designed, arranged and operated in order to ensure that development and use of neighboring property in accordance with the applicable district regulations will not be prevented or made less likely and that the value, use and reasonable enjoyment of such property will not be impaired or adversely affected.	These are assessed as part of the staff review, and do not need to be addressed as part of the application. If additional information is necessary to determine these findings, staff / Planning Commission / City Council can request it as part of the review.

Section	Requirement	Justification
17-102.B.10	Any and all special conditions for the use, construction, layout or appearance of the site which the applicant would propose to be made conditions of the use permit, if granted, for purposes of assuring its compatibility with the surrounding neighborhood.	These are assessed as part of the staff review, and do not need to be addressed as part of the application. If additional information is necessary to determine these findings, staff / Planning Commission / City Council can request it as part of the review.
17-102.B.11	An identification of any potentially adverse effects that may be associated with the proposed conditional use and of the means proposed by the applicant to avoid, minimize or mitigate such effects.	These are assessed as part of the staff review, and do not need to be addressed as part of the application. If additional information is necessary to determine these findings, staff / Planning Commission / City Council can request it as part of the review.
17-102.B.12	Any and all special conditions for the use, construction, layout or appearance of the site which the applicant would propose to be made conditions of the use permit, if granted, for purposes of assuring its compatibility with the surrounding neighborhood.	These are assessed as part of the staff review, and do not need to be addressed as part of the application. If additional information is necessary to determine these findings, staff / Planning Commission / City Council can request it as part of the review.
17-102.B.14	Phase I Environmental site assessment for residential, assembly, day care, group home, recreation, school, library, or similar uses	Changes for a waiver with concurrence of D&P and Public Works if sufficient documentation is provided that demonstrates that land disturbance does not pose a significant risk to the environment, or the public health and safety, along with the submission of a certification and assumption of risk holding the City harmless for any actions or liability that result.
New17-102.B.9	Such additional materials and information as reasonably may be required by the reviewing departments, the planning commission or city council in order for the application to be fully and appropriately reviewed and considered. The planning department shall develop instructions and/or forms for conditional use permit applications which establish the criteria for determining that an application is complete.	Mirrors language and requirements of rezoning requests giving the departments / Planning Commission / City Council the ability to request additional information as needed for a full and complete review.

DEVELOPMENT ADVISORY 56 UPDATE

The City of Chesapeake Planning Department is now implementing the new sign posting procedure as outlined in Development Advisory 56, dated April 14, 2021. The size of the public notification signs to be posted notifying citizens of a Public Hearing is being increased to 4' by 4' and the cost of a public notification sign will also increase. Signs will now be printed by Hackworth Reprographics in Chesapeake. Planning staff

will still coordinate ordering and proofing the signs, applicants can either be invoiced and pay the City or pay the vendor directly. Finished signs will be delivered to the Planning Department where they will be distributed to the applicants. Applicants will be contacted by Planning staff with details when their projects are added to an agenda.

Any questions or concerns regarding this advisory should be directed to Gil Bostwick, at 382-6176 or gbostwick@cityofchesapeake.net.