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**HEARING DATE: NOVEMBER 12, 2008**

**TO:** CHESAPEAKE PLANNING COMMISSIONERS

**FROM:** JALEH SHEA, COMPREHENSIVE PLANNING ADMINISTRATOR

**THROUGH:** BRENT R. NIELSON, AICP, PLANNING DIRECTOR

**DATE:** NOVEMBER 5, 2008

**RE:** **TA-Z-08-11**  
An ordinance amending Appendix "A" of the Chesapeake City Code, entitled "Zoning," Article 7, Sections 7-302 and 7-402 thereof, to provide flexible development standards for properties zoned B-1 Neighborhood Business District and B-2 General Business District located in the Great Bridge Business District or the Causeway District of the Great Bridge Village District.

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**TEXT AMENDMENT DESCRIPTION:**

This item proposes amendments to Article 7 of the Chesapeake Zoning Ordinance to allow for more flexible development standards than are currently permitted in the traditional business zoning classifications. This amendment is an implementation measure for the proposed Great Bridge Village Design Guidelines. The area of application is strictly limited to the proposed Causeway or Great Bridge Business Districts from the proposed Great Bridge Village Design Guidelines. The amendment allows for reduced front yard setbacks for properties zoned B-1 Neighborhood Business District and B-2 General Commercial District in exchange for compliance with the proposed design guidelines.

**BACKGROUND:**

The proposed amendment was initiated by City Council who adopted a resolution on October 14, 2008, requesting the Planning Commission to consider and make recommendation concerning the proposed amendment. The proposed amendment is an implementation measure for the proposed Great Bridge Village District (CP-08-02).

**DEPARTMENTAL COMMENTS:**

**Public Works:**

- No comment

**Zoning Administrator:**

- No comment

**Public Utilities:**

- No Comment

**Economic Development:**

- No Comment

**School Administration:**

- No Comment

**STAFF ANALYSIS:**

The proposed Great Bridge Village Design Guidelines establishes new design standards for the newly created Causeway and Great Bridge Business districts. The design criteria will have more flexible development standards such as setbacks from the street, than is currently permitted in traditional business zoning classifications. Accordingly, staff is proposing amendment to Article 7 of the Chesapeake Zoning Ordinance to allow for such flexibility. Specifically, properties within the Great Bridge Business District or the Causeway District that are zoned B-1 Neighborhood Business and B-2 General Business will be authorized to follow less stringent development standards as set out in the design guidelines and with compliance with the remainder of the guidelines.

The amendment of the Zoning Ordinance is logically contingent upon the approval of CP-08-02 Great Bridge Village Design Guidelines.

Under the provision of the Great Bridge Village Design Guidelines, buildings are generally recommended to be oriented toward the front of properties with parking located to the rear. The Guidelines potentially allow for up to a 0' setback from the ultimate right of way providing that all elements of the good design are included in the development proposal. This orientation provides additional opportunities to create buffers between the commercial areas and the residential areas to the rear. The use of landscaping to screen parking areas from residential/business areas is required by the guidelines. The preservation of right of way is a significant concern, particularly as reduced setbacks are considered. For this reason, all setbacks are measured from the *ultimate* right of way.

In order to encourage conformance with the Great Bridge Village Design Guidelines, the Directors of Planning and Public Works shall be authorized to grant exceptions to front yard setback requirements for properties zoned B-1 Neighborhood Business District and located in the Great Bridge Business District or Causeway District. A front yard setback reduction may be granted through the issuance of an exception approved jointly by the Directors of Planning and Public Works, or their respective designees, for properties zoned B-1 Neighborhood Business District or B-2 General Commercial District within the Great Bridge Business District or Causeway District of the Great Bridge Village District. Subject to certain conditions, front yard setbacks may be reduced up to zero, as measured from the ultimate right-of-way line. Ultimate right-of-way shall be determined by the Director of Public Works or his / her designee, using Appendix H of the Forward Chesapeake 2026 Comprehensive Plan-- Great Bridge Village Design Guidelines as a guide.

In order to qualify for a front yard setback, the developer shall agree to comply with the Great Bridge Village Design Guidelines. To receive a setback reduction, the developer must file an application with the Department of Planning, including plans showing the building and site layout, including proposed setbacks and lot coverage, architectural, streetscape and landscape plans; and any other plans and documents that may be requested by the Department of Planning. The Directors of Planning and Public Works (or their respective designees) will review the submittal to determine if they comply with the Great Bridge Village Design Guidelines as well as what impact will result to traffic safety. If the reduction is determined to be warranted by both departments, the exception shall be granted. The Directors may approve a lesser setback reduction than requested or may deny the request.

In the event the request for setback reduction is denied, the developer will be given a written denial outlining the deficiencies in the application and the developer will have ten (10) days to file an appeal of the decision with the Chesapeake Planning Commission.

**STAFF RECOMMENDATION:**

Based on the finding that the proposed text amendment follows good zoning practices, staff recommends that **TA-Z-08-11, version dated November 5, 2008**, be **APPROVED**.

JS:bh