



# **City Planning Commission**

## **2019 Report to City Council**

### ***Planning Commission***

*Earl Fraley, Jr., Chairman*

*Ramona Austin*

*Kevin Murphy*

*Matthew Hales*

*Dr. Dan Neumann, Vice Chairman*

*Nikita Houchins*

*Kathryn Shelton*

*Approved: February 27, 2020*

*Department of City Planning*

## Chairman's Message

February 27, 2020

To the Honorable Mayor and Council  
City of Norfolk, Virginia

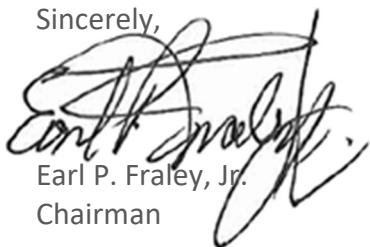
Ladies and Gentlemen:

It is my pleasure to once again share with you a summary of the Planning Commission's activities. 2019 was another outstanding year for the Commission. It was a busy year, with 132 public hearings and 32 (of 102 reviewed by ARB) design review items forwarded by the Architectural Review Board. It was also a year of lively discussion and debate, particularly around the topics of short-term rentals and the proliferating establishments providing "games of skill".

These lively discussions are vital to our success as a Commission. While we don't always come to a consensus, I am confident that these debates bring a better result in the end. And they make the Commissioners that much more confident in our recommendations when we do reach a consensus. I am proud to chair this Commission and am proud that Council continues to show faith in our combined wisdom and experience.

We continue to be thankful for the opportunity to serve. It is a great honor to be a part of the planning process in Norfolk. We look forward to continuing our service in 2020 and thank you for your support and confidence in us.

Sincerely,



Earl P. Fraley, Jr.  
Chairman

CC: Dr. Larry H. Filer II, City Manager  
George M. Homewood, FAICP CFM, Planning Director

## Norfolk City Planning Commission

The Norfolk City Planning Commission is a seven-member body, appointed by the City Council, responsible for the review of land use and zoning matters for the City of Norfolk. The Commission makes recommendations on various matters to City Council, which is ultimately responsible for making a final decision. The City Planning Commission is also responsible for the development and implementation of the City's General Plan, *plaNorfolk2030*.

Planning Commission members in 2019 were: Earl Fraley, Jr., Chairman; Ramona Austin; Matthew Hales; Nikita Houchins; Kevin Murphy, Dr. Dan Neumann, Vice Chairman; and Kathryn Shelton. George Homewood, Planning Director, served as Executive Secretary.

The Planning Commission met on 21 separate occasions in 2019, convening the second and fourth Thursday of each month, excepting April, where one meeting was canceled due to a lack of a quorum, and November and December, where only one meeting was held each month to accommodate the holidays. Staff also conducted a monthly, as-needed, field trip for Commissioners, providing an opportunity to visit each site on that month's agenda. The table below illustrates each member's attendance for the year.

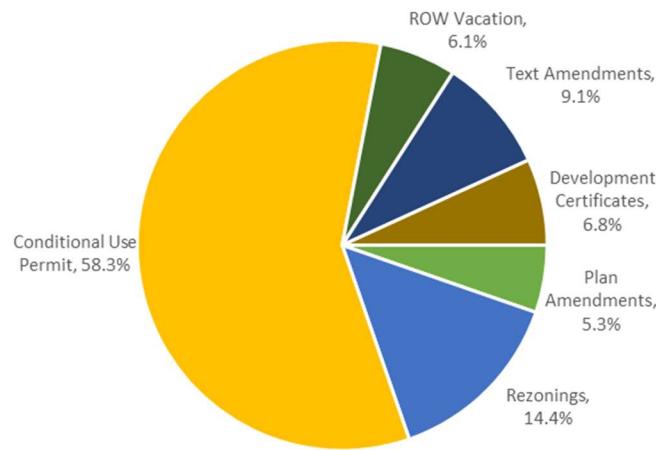
	Meetings in Attendance	Meetings Absent
<b>Earl Fraley, Jr., Chairman</b>	19	2
<b>Ramona Austin</b>	9	12
<b>Matthew Hales</b>	16	5
<b>Nikita Houchins</b>	17	4
<b>Kevin Murphy</b>	21	0
<b>Dr. Dan Neumann, Vice Chairman</b>	17	4
<b>Kathryn Shelton</b>	15	6

In 2019, the Planning Commission processed 132 planning and zoning applications and 102 Architectural Review Board items. Additionally, the Commission considered presentations on many other topics throughout the year, including the St. Paul's planning process, the Commercial Pattern Book, the Wards Corner area plan, short-term rental provisions, Census 2020, and numerous presentations on the implementation of the new zoning ordinance.

## Applications Reviewed in 2019 – Planning & Zoning

The 132 planning and zoning applications submitted to the Planning Commission in 2019 represent a notable decline from the 167 applications reviewed in 2018. Conditional use permit applications, about 58% of the total, were once again by far the most common type of application processed. The following table illustrates the disposition of all applications processed in 2019.

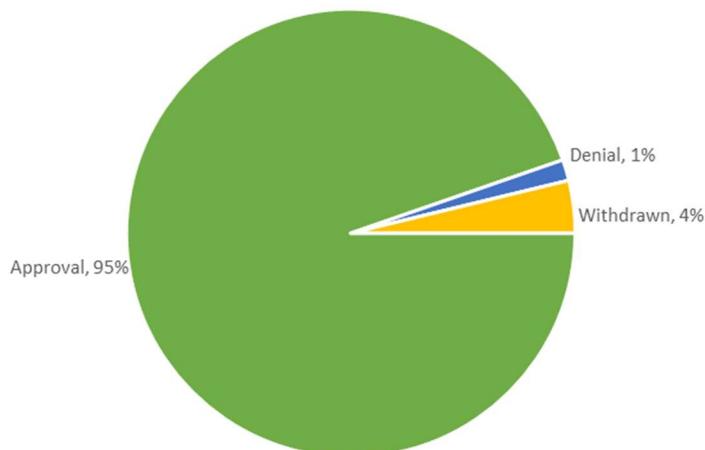
Types of Applications, 2019



	CPC Recommendation					
	Total	Percent	Approval	Denial	Withdrawn	% Approval
Plan Amendments	7	5.3%	7	0	0	100.0%
Rezonings	19	14.4%	19	0	0	100.0%
Conditional Use Permits	77	58.3%	70	2	5	90.9%
Right-of-Way Vacations	8	6.1%	8	0	0	100.0%
Text Amendments	12	9.1%	12	0	0	100.0%
Development Certificates	9	6.8%	9	0	0	100.0%
<b>Total</b>	<b>132</b>	<b>100.0%</b>	<b>125</b>	<b>2</b>	<b>5</b>	<b>94.7%</b>

The Planning Commission recommended approval on 94.7% of the applications submitted in 2019, voting to recommend denial of two items. Five items were withdrawn before the Commission could vote on them. The high approval rating from both the City Planning Commission and the City Council is due in large part to the efforts of staff to advise and guide applicants through the pre-approval process.

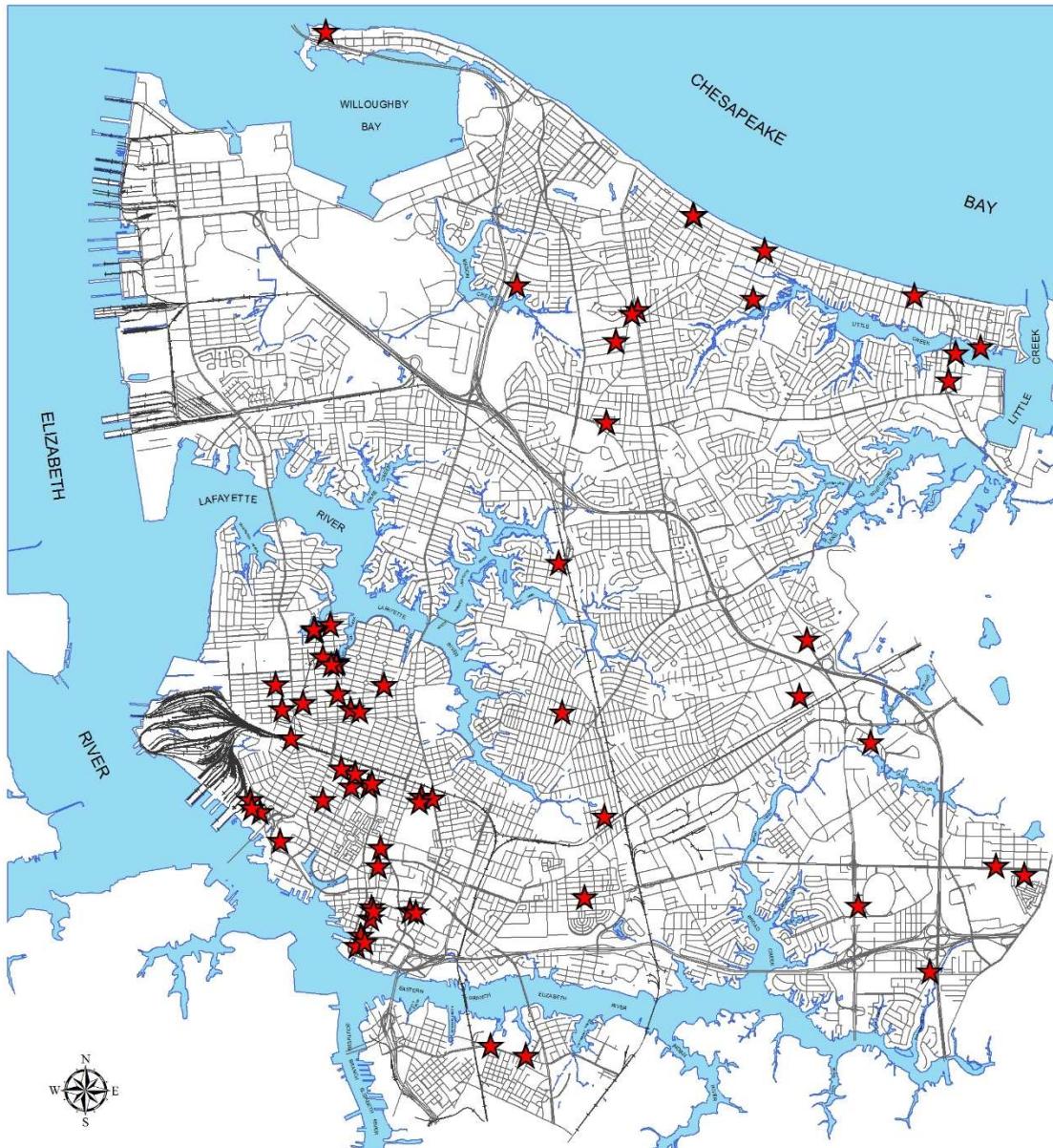
Recommended Actions, 2019



## Applications Reviewed in 2019 – Planning & Zoning

The map below illustrates the geographic distribution of planning and zoning applications reviewed by the Planning Commission in 2019. Not reflected on this map are the 24 items that affected either the entire City or all or part of a neighborhood.

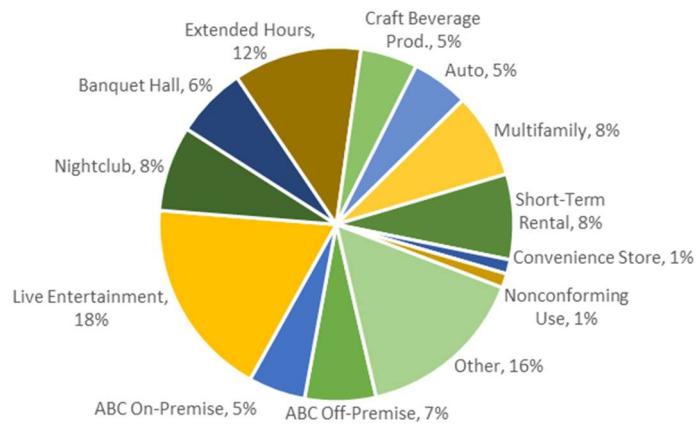
### Planning and Zoning Applications, 2019



## Conditional Use Permits Reviewed in 2019

Conditional use permits are the most common type of application considered by the Planning Commission, representing 58% of all agenda items in 2019. Continuing a trend that emerged in 2018, only 49% of those applications relate to the sale of alcoholic beverages compared to about 65% through 2017. This trend is likely due to the easing of rules regarding alcohol sales in the new Zoning Ordinance. In total, approximately 91% of conditional use permit applications received were recommended for approval, a figure slightly less than the 96% recommended in recent years.

Conditional Use Permit Applications, 2019



CPC Recommendation						
	Total	Percent	Approval	Denial	Withdrawn	% Approval
ABC Off-Premise	5	6.5%	5	0	0	100.0%
ABC On-Premise	4	5.2%	3	0	1	75.0%
Live Entertainment	14	18.2%	13	0	1	92.9%
Nightclub	6	7.8%	5	0	1	83.3%
Banquet Hall	5	6.5%	4	0	1	80.0%
Extended Hours	9	11.7%	9	0	0	100.0%
Craft Beverage Prod.	4	5.2%	4	0	0	100.0%
Auto Sales/Service/Rental	4	5.2%	4	0	0	100.0%
Multifamily	6	7.8%	6	0	0	100.0%
Short-Term Rental	6	7.8%	6	0	0	100.0%
Convenience Store	1	1.3%	0	1	0	0.0%
Nonconforming Use*	1	1.3%	0	1	0	0.0%
Other**	12	15.6%	11	0	1	91.7%
<b>Total</b>	<b>77</b>	<b>100.0%</b>	<b>70</b>	<b>2</b>	<b>5</b>	<b>90.9%</b>

\*Request to change from one nonconforming use to another nonconforming use.

\*\*Includes requests for accessory dwelling unit, bed and breakfast, commercial recreation center, communication tower, day care center, flag lot, religious institution, trucking terminal, and to modify standards of the Zoning Ordinance.

## Applications Reviewed in 2019 – Council Disposition

The following table reflects Norfolk City Council's actions relative to the Planning Commission's recommendations, by application type. Of the 127 items acted upon by the Planning Commission in 2019 (not including withdrawn items), 98.4% were recommended for approval. Similarly, 95.6% of the 115 items thus far considered by City Council were approved, though the specific items approved and denied differed slightly from Planning Commission recommendations.

	CPC Recommendation		City Council Resolution				
	Approval	Denial	Approved	Denied	Withdrawn	% App.	Pending*
<b>Plan Amendments</b>	7	0	7	0	0	100.0%	0
<b>Rezonings</b>	19	0	19	0	0	100.0%	0
<b>Cond. Use Permits</b>	70	2	63	5	0	92.6%	4
<b>Street Closures</b>	8	0	8	0	0	100.0%	0
<b>Text Amendments</b>	12	0	12	0	0	100.0%	0
<b>Dev. Certificates</b>	9	0	1**	0	0	100.0%	0
<b>Total</b>	<b>125</b>	<b>2</b>	<b>110</b>	<b>5</b>	<b>0</b>	<b>95.6%</b>	<b>4</b>

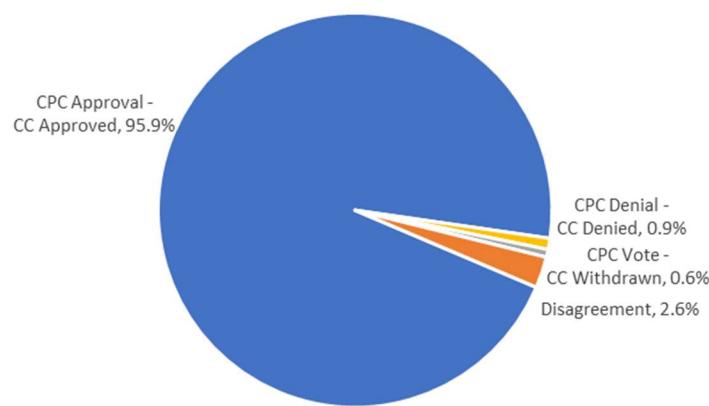
\* As of February 25, 2020.

\*\* The other eight items did not request waivers from the standards of the district, meaning they only required Planning Commission approval.

In 2019, Planning Commission and City Council differed on five items – a conditional use permit to allow a nonconforming adult day care on Ballentine Boulevard to operate as an assisted housing facility recommended for denial by Planning Commission but ultimately approved by City Council, and a set of four conditional use permits for short-term rentals recommended by Planning Commission but denied by City Council.

City Council generally agrees with the recommendations of the Planning Commission. Since 2013, City Council has agreed with Planning Commission's recommendation – for either approval or denial – 96.8% of the time. An additional 0.6% of items were withdrawn prior to a vote from City Council. This means that the two bodies have disagreed only on about 2.6% – 28 of 1,050 – of items.

Planning Commission and City Council Actions, 2013-2019

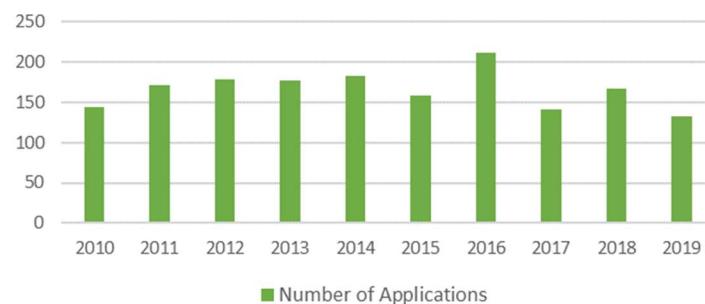


## Applications Reviewed – 2010-2019

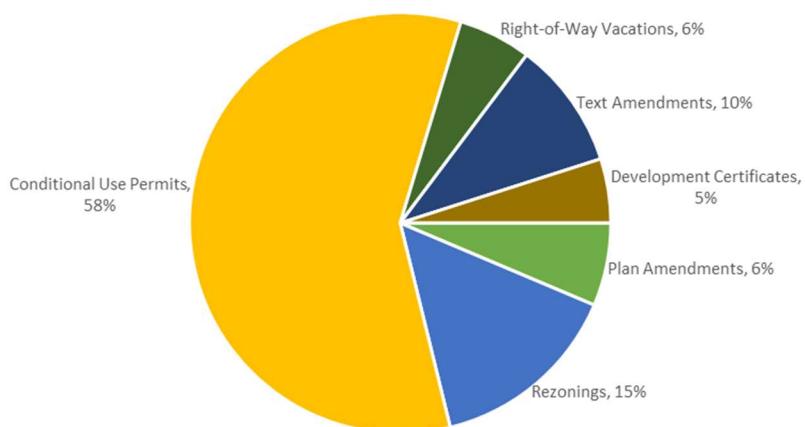
The number of applications to the Planning Commission fell in 2018 167 in 2018 to 132 in 2019, about 20% off the 10-year average of 166.2 per year. The decline was almost across the board, affecting nearly every type of application. As a result, 2019 set the ten-year low for applications and likely saw the fewest applications since the early 2000s. A total of 1,665 applications have been submitted to the Commission since 2010.

The conditional use permit has remained the most common application type for the entire 10-year period, consistently making up at least half of all applications each year. All other types of applications vary greatly from year-to-year. There appear to be few obvious trends in the data, though the four-year decline in conditional use permits is notable, particularly given that such a reduction was a stated goal of the 2018 Zoning Ordinance.

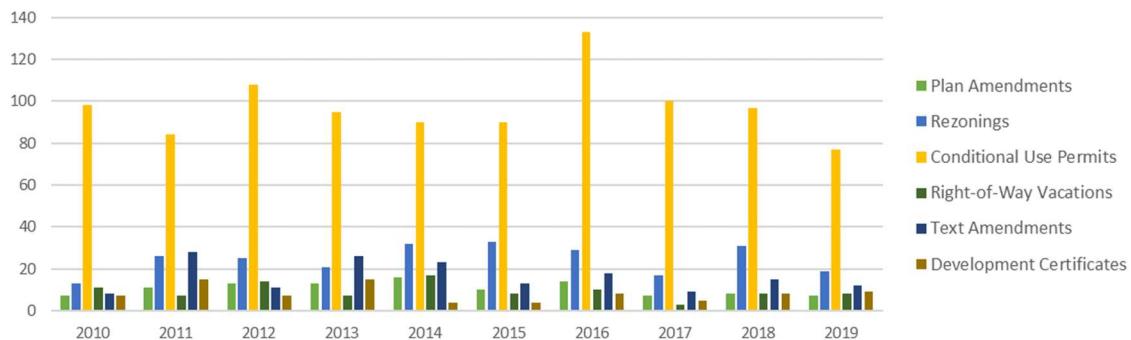
Applications Received, 2010-2019



Types of Applications, 2010-2019



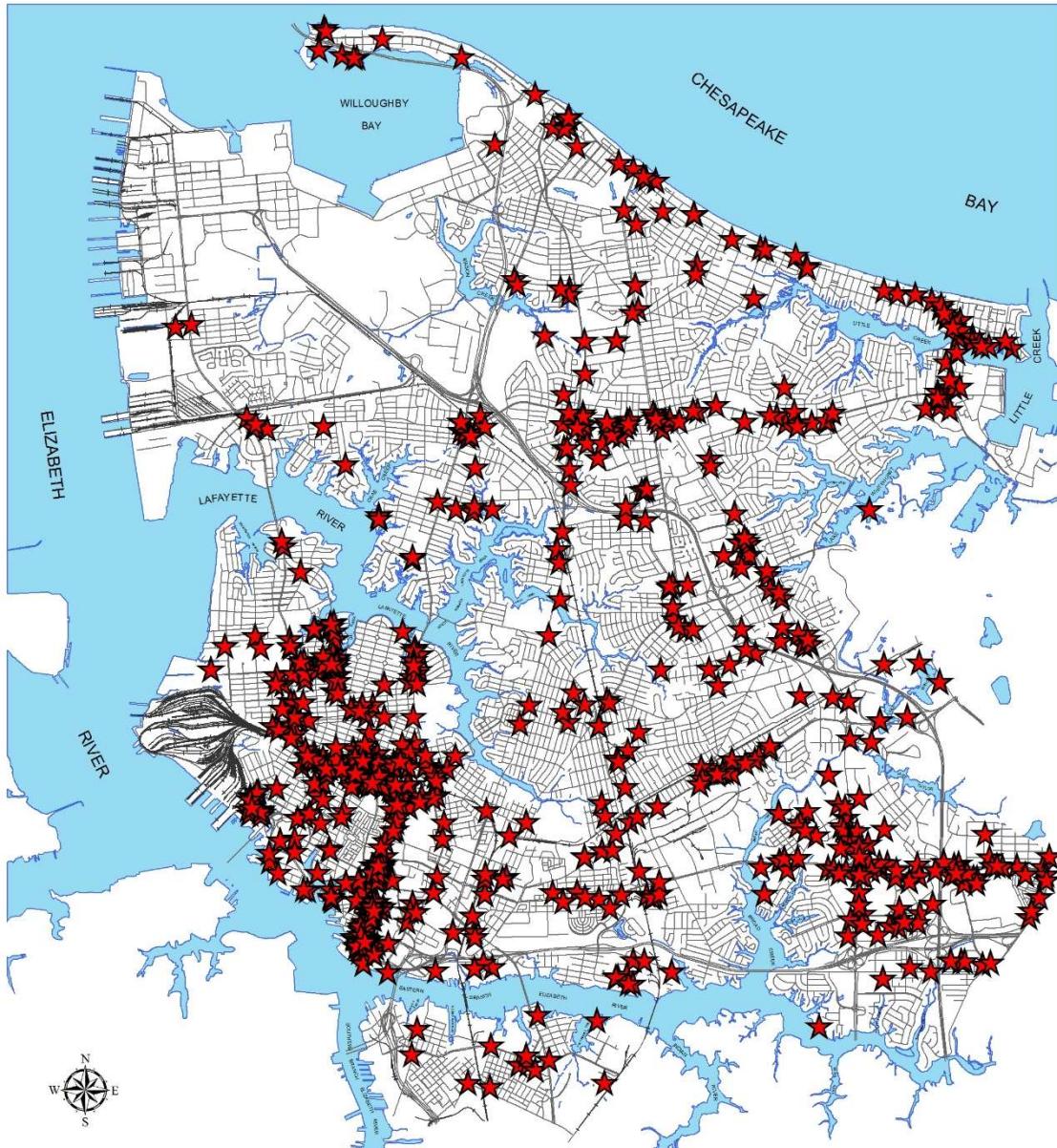
Planning Commission Activity, 2010-2019



## Applications Reviewed – 2010-2019

The map below illustrates the geographic distribution of applications reviewed by the Planning Commission between 2010 and 2019.

### Planning and Zoning Applications, 2010-2019

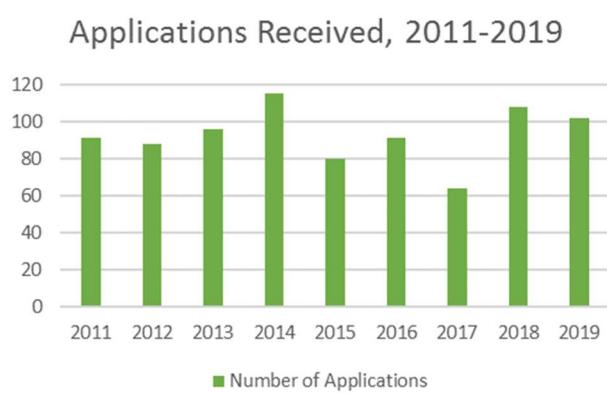


## Architectural Review Board Items – 2019

The Architectural Review Board reviewed 102 items in 2019. ARB items are different from other items reviewed by the Planning Commission, in that the Planning Commission only reviews selected items. ARB has the final say on all Certificates of Appropriateness (COAs) and on Determinations of Architectural Appropriateness, meaning the Commission only saw 37 of the 2019 ARB items. 98% of the items reviewed in 2019 received ARB approval.

	Total	Percent	Approved	Denied	Withdrawn	% Approved
<b>Ghent COA*</b>	21	20.6%	19	2	0	90.5%
<b>W. Freemason COA*</b>	6	5.9%	6	0	0	100.0%
<b>Downtown COA*</b>	17	16.7%	17	0	0	100.0%
<b>Landmark COA*</b>	1	1.0%	1	0	0	100.0%
<b>Norfolk &amp; Western COA*</b>	20	19.6%	20	0	0	100.0%
<b>Private Projects</b>	23	22.5%	23	0	0	100.0%
<b>Public Projects</b>	9	8.8%	9	0	0	100.0%
<b>Text Amendments</b>	4	3.9%	4	0	0	100.0%
<b>Determinations of Arch. Appropriateness</b>	1	1.0%	1	0	0	100.0%
<b>Total</b>	<b>102</b>	<b>100.0%</b>	<b>100</b>	<b>2</b>	<b>0</b>	<b>98.0%</b>

\* Certificate of Appropriateness



Averaging just under 93 items per year since 2011, the 102 items reviewed in 2019 puts it among the busier years in the period. The composition of items, however, has changed substantially over the years, with landmark designations emerging in 2016 and Norfolk and Western Historic Overlay District COAs emerging in 2018. Those items have been a major component of ARB

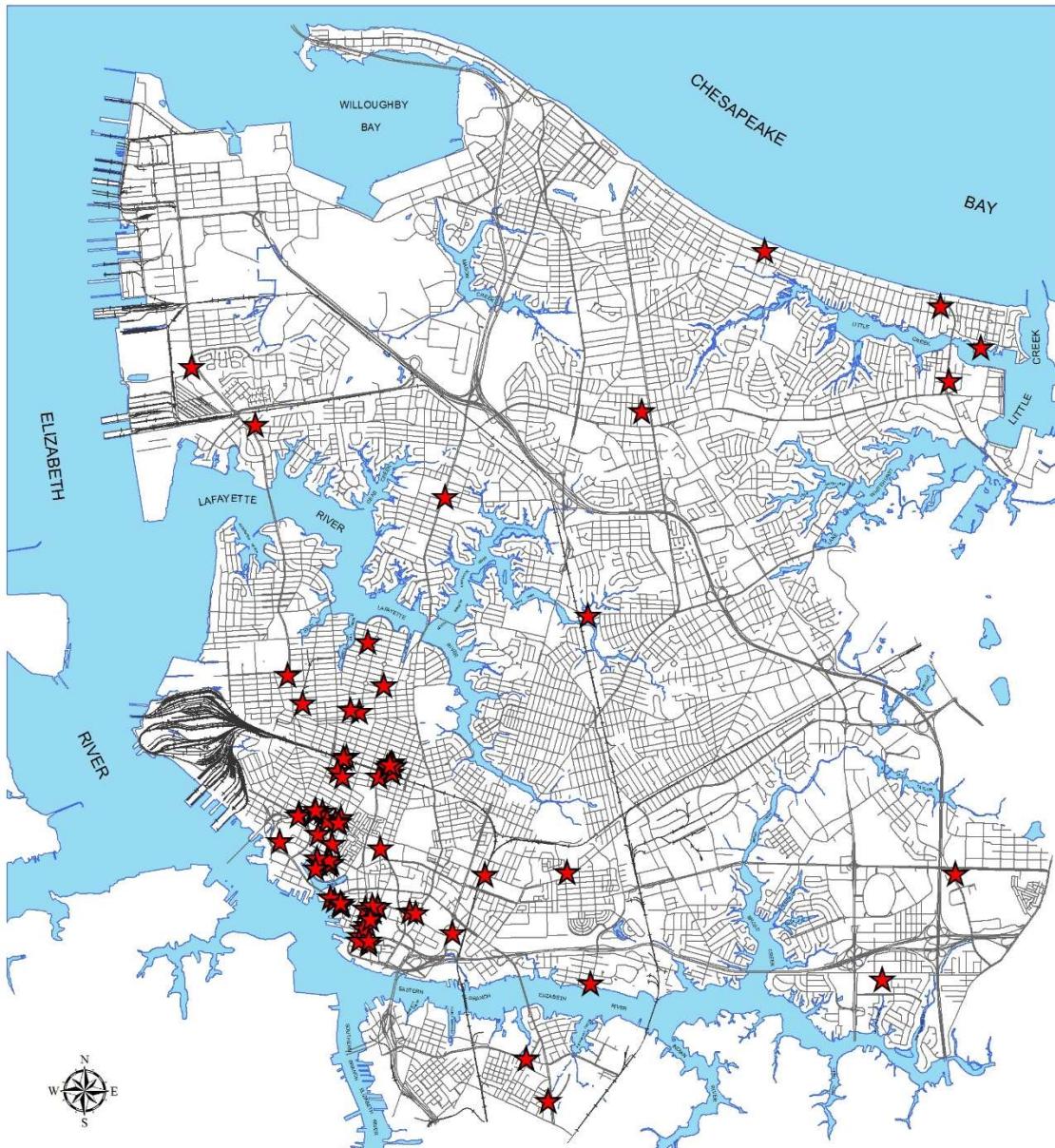
activity in recent years while Downtown and East Freemason COAs and public projects have declined.

The ARB also began reviewing Determinations of Architectural Appropriateness in 2019, an item type that may see increasing numbers in the future. These items are a creation of the 2018 Zoning Ordinance, allowing applicants to request the ability to vary from specific development standards, including porch size and location, fenestration, façade articulation, and roof detailing – all components of the ordinance’s new form standards.

## Architectural Review Board Items – 2019

The map below illustrates the geographic distribution of the Architectural Review Board applications reviewed in 2019.

### Architectural Review Board Applications, 2019



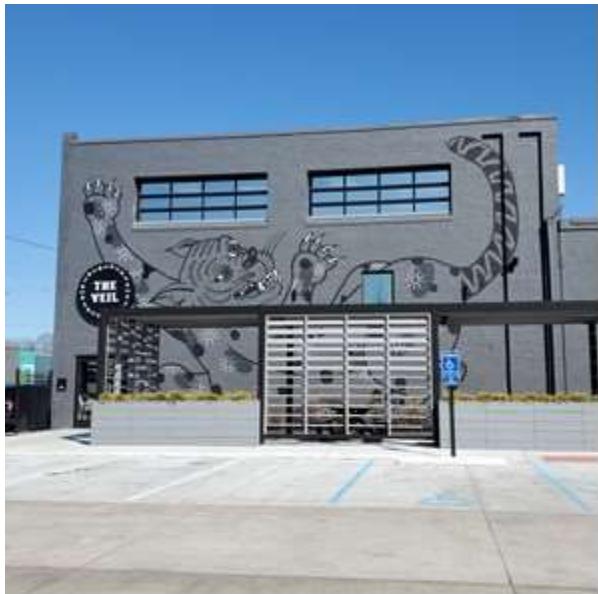
## Projects Completed – 2019

2019 once again saw the completion of multiple major projects and the opening of many new or relocated businesses. Most of these projects received some form of Planning Commission approval over the past few years and, as major construction projects often take some time to finish, finally opened during the past year. Below are several projects that were completed in 2019.



## Projects Completed – 2019

Included on these pages are projects from across Norfolk, including townhomes in the Westport project off Newport Avenue, the Hague School on Mowbray Arch, Bold Mariner in Ocean View, Corner Gallery and a new mixed-use building on Colley Avenue, BurgerIM on 25<sup>th</sup> Street, The Veil on Colonial Avenue, Aldi at JANAF, a plan book home in Huntersville, and Ikea.



## Plans and Other Projects

2019 was another busy year for Planning in the City of Norfolk. Four significant planning projects were completed during the year, while several others saw significant activity. Projects completed in 2019 included an area plan for Wards Corner, a pattern book for commercial development, a comprehensive economic development strategy, and a new zoning district for the Colonial Place-Riverview neighborhood. The St. Paul's Planning effort highlights the major projects still in process, a list that includes a citywide historic survey, an update to the Downtown Plan, and a set of design principles for multifamily development. Below are more details on a few of these projects.

The City of Norfolk, together with the Norfolk Redevelopment and Housing Authority, has been engaged in visioning and planning a revitalized community in the St. Paul's area. During 2019, the first two developments have worked their way from conceptualization to review by the Architectural Review Board and the City Planning Commission and to approval by City Council. Staff has been actively engaged in planning the next development projects and developing a new street network to support the revitalized community.

The Wards Corner Area Plan was adopted in July, developed with a \$120,000 grant from Virginia's Office of Intermodal Planning and Investment. The plan's primary goal is to bring traditional neighborhood design into a re-imagined community with walkable, bikeable, green streets with a mix of housing options, uses, and incomes.

The Commercial Pattern Book provides detailed guidance for those seeking to develop commercial or mixed-use projects in Norfolk. The pattern book illustrates ways to place buildings and other site features including parking areas, landscape materials, and pedestrian accessways. It will also serve as a tool for the staff, Planning Commission, and the Architectural Review Board to evaluate development proposals.

The Colonial Place-Riverview Neighborhood Resilience Overlay (NRO) was adopted in June, implementing the City's sixth NRO but the first developed fully under the 2018 Zoning Ordinance. It places additional form requirements on new development in the neighborhood addressing porches, garages, and ground floor height. Perhaps more importantly, it established an interactive, neighborhood-led process that future NRO implementations can follow.

## Review of 2019 Work Program

2018 was the fifth year that the annual report has included a work program for the upcoming year, in this case a program for 2019. That work program is presented below, along with an indication of each project's status. Those projects shaded green are considered complete. Those shaded yellow are not complete but are underway and are on track for completion. Work has not begun on those shaded red. As the table indicates, most of the projects listed for 2019 have either been completed or are underway and on track for completion.

Project	Projected Project Timeframe
Wards Corner Area Plan – preparation of a state-funded Urban Development Area plan for Wards Corner	Complete
Preparation of construction detail sheets to streamline narrow lot development process	In process
Neighborhood Resilience Overlays – complete Colonial Place-Riverview project	Complete
Commercial Pattern Book – preparation of pattern book to guide development patterns in commercial zoning districts	Complete
Permit Management Tracking System – implementation of online portal for permit requests and payments	Complete
Emergency/Re-Build Ordinance – ordinance or code language regulating how properties may be re-built in a more resilient manner	Not started
Enhanced Community Outreach on Flooding – PPI (program for public information) and STiR (start-up in residence) projects	Completion by mid-2020
Parking Ordinance Revision – consideration of revisions to the parking provisions of the Zoning Ordinance	Not started
Downtown Norfolk Outdoor Dining Design Guidelines – preparation of design guidelines and a streamlined approval process	In process
Neighborhood Resilience Overlays – kickoff new project (location to be determined)	Not started
Joint Land Use Study – regional (local government, NGO, and U.S. Military) study of the impacts of sea level rise on area military facilities	Complete
Short-Term Rental Program – implement registration, tracking, and enforcement system	Complete
Community Rating System – floodplain management code revisions to improve CRS score	Completion by mid-2020
Parking Regulations – consideration of revisions to parking regulations in the traditional character district	Not started
Citywide Historic Survey – project kickoff	Complete
plaNorfolk2050 – completion of existing conditions report, work plan, and outreach strategy	In process

## City Planning Commission 2019 Report to City Council

Project	Projected Project Timeframe
Insurance Services Office (ISO) Review – 4-year review of Norfolk's building code implementation	Complete
Reservoir Protection Overlay – consideration of an overlay district to address development within drinking water reservoir watersheds	Not started
Implementing administrative approval for some Certificates of Appropriateness	Research complete
Preparation of Norfolk & Western Historic District guidelines	Completion by early-2020
TIDE Light Rail Extension Studies – Eastside Environmental Impact Study kickoff	Complete
Multifamily Design Principles – Preparation of a policy document to guide development of new multifamily housing throughout the City	Completion by early-2020
Planning Commission Training	Not started
Permit Management Tracking System – implementation of land use management module	In process
Census 2020 – creation and support of complete count committee	In process
Inclusionary Housing Policy – preparation of a policy to encourage the development of inclusionary housing in new development	In process
Zoning Ordinance Maintenance – consideration of necessary revisions to Zoning Ordinance	Ongoing
Neighborhood Planning Processes – staff support for various efforts	Ongoing
Major development Projects – staff support for various projects	Ongoing
Support for Economic Development in implementing inclusionary/diverse economic development strategy	Ongoing
HUD Natural Disaster Resilience Competition Grant – staff support for the planning and implementation of resilience improvements	Ongoing
EPA Brownfields Grant – staff support for a market and redevelopment feasibility study of the Harbor Park area	Ongoing
Joint Planning Commission/City Council meeting(s)	As needed
Joint Planning Commission/School Board meeting(s)	As needed
Joint Planning Commission/Economic Development Authority meeting(s)	As needed
Joint Planning Commission/Architectural Review Board meeting(s)	As needed

## 2020 Planning Commission Work Program

As the Planning Commission transitions into another year, there are many projects currently underway or planned for initiation in 2020. Below is a list of projects Planning Department staff and the Planning Commission should be working on over the coming year.

Project	Projected Project Timeframe
plaNorfolk2050 – completion of existing conditions report, work plan, and outreach strategy	Completion by late-2020
Multifamily Design Principles – Preparation of a policy document to guide development of new multifamily housing throughout the City	Completion by early-2020
Census 2020 – Review preliminary data	Completion by late-2020
Inclusionary Housing Policy – preparation of a policy to encourage the development of inclusionary housing in new development	Completion by mid-2020
TIDE Light Rail Eastside Environmental Impact Study – status update	Completion by mid-2020
Citywide Multimodal Master Plan – status update	Completion by mid-2020
Downtown 2030 Master Plan – master plan update for Downtown Norfolk	Completion by late-2020
Broad Creek Refresh – master plan for the Broad Creek area	Completion by late-2020
Park Place Plan – master plan for the Park Place neighborhood	Kickoff by mid-2020
Military Highway/Circle Plan – refinement of vision for west side of Military Highway	Kickoff by mid-2020
Neighborhood Resilience Overlays – kickoff new project	Completion by late-2020
Short-Term Rental Ordinance Revisions – kickoff consideration of revisions to short-term rental regulations	Completion by mid-2020
Commercial Recreation Center Ordinance Revisions – kickoff consideration of revisions addressing “games of skill”	Completion by mid-2020
Parking Regulations – consideration of revisions to parking regulations in the traditional character district	Completion by late-2020
Reservoir Protection Overlay – consideration of an overlay district to address development within drinking water reservoir watersheds	Completion by late-2020
Park Place Zoning Study – evaluation of zoning classifications in the Park Place neighborhood	Completion by late-2020
Central Brambleton Zoning Study – evaluation of zoning classifications in the Central Brambleton neighborhood	Kickoff by late-2020
East Fairmount Park Zoning Study – evaluation of zoning classifications in the East Fairmount Park neighborhood	Kickoff by late-2020

## City Planning Commission 2019 Report to City Council

Project	Projected Project Timeframe
Resilience Quotient Revisions	Completion by late-2020
Fence Ordinance Revisions	Kickoff by mid-2020
Single-Family Zoning District Revisions – consideration of new/modified single-family zoning districts	Kickoff by late-2020
Citywide Historic Survey – completion of first phase	Completion by late-2020
Preparation of Norfolk & Western Historic District guidelines	Completion by early-2020
Pattern Book for Home Elevations	Kickoff by mid-2020
Pattern Book for Norfolk Neighborhoods – updating and expanding neighborhoods pattern book	Kickoff by mid-2020
Pattern/Plan Book for “Missing Middle Housing”	Kickoff by late-2020
Community Rating System strategy – submittal of paperwork necessary to obtain improved flood insurance rates for Norfolk residents	Completion by mid-2020
Enhanced Community Outreach on Flooding – PPI (program for public information) and STiR (start-up in residence) projects	Completion by mid-2020
Conditional Use Permit Revocation Policy	Completion by mid-2020
DEQ Five-Year Program Review – review of environmental program implementation and management	Completion by late-2020
Dune Education Program/Dune Permit Project	Completion by mid-2020
St. Paul’s Redevelopment – staff support for the planning and implementation of St. Paul’s vision	Ongoing
HUD Natural Disaster Resilience Competition Grant – staff support for the planning and implementation of resilience improvements	Ongoing
EPA Brownfields Grant – staff support for a market and redevelopment feasibility study of the Harbor Park area	Ongoing
Zoning Ordinance Maintenance – consideration of necessary revisions to Zoning Ordinance	Ongoing
Major development Projects – staff support for various projects	Ongoing
Joint Planning Commission/City Council meeting(s)	As needed
Joint Planning Commission/School Board meeting(s)	As needed
Joint Planning Commission/Economic Development Authority meeting(s)	As needed
Joint Planning Commission/Architectural Review Board meeting(s)	As needed

Note: The work program above only reflects items that may involve City Planning Commission in some fashion.