



City Planning Commission

2023 Report to City Council

Planning Commission

Kevin Murphy, Chair

Kim Sudderth, Vice-Chair
Scott Bateman
Jeremy McGee

Charlie Parker
Larry Pendleton
Lelia Vann

Approved: February 22, 2024
Department of City Planning

Chair's Message

February 22, 2024

To the Honorable Mayor and Council
City of Norfolk, Virginia

Ladies and Gentlemen:

On behalf of the City Planning Commission (CPC), it is my pleasure to share with you a summary of the Commission's activities for 2023. The Commission navigated a dynamic and productive year, tackling a significant volume of planning and zoning matters while laying the groundwork for the city's future.

In total, the Commission reviewed 199 planning and zoning items, including a record-setting 174 conditional use permit applications (45 of which were short-term rentals), along with 16 design review items forwarded by the Architectural Review Board. Knowledge-sharing was fostered through regular engagement with Planning Department staff and invited guests, receiving and discussing topical presentations on critical issues impacting the City's planning landscape.

October saw the official kickoff *NFK2050*, the City's new comprehensive plan that will create a framework for how Norfolk will grow and evolve over the next 25 years. The *NFK2050* Team kicked off the first phase with a series of six interactive open houses around the city, allowing participants to voice their needs and ideas for making Norfolk better. Development of the plan will continue into next year and once adopted it will help guide the City's decisions on many topics that impact the daily lives of residents and stakeholders.

With a successful 2023 under our belt, we eagerly anticipate the challenges and opportunities of 2024. We remain committed to serving our great city with dedication and integrity. We're grateful for your trust and confidence, and we look forward to working together to shape a vibrant and thriving Norfolk for all.

Sincerely,



Kevin R. Murphy
Chair

CC: Patrick Roberts, City Manager
Robert J. Tajan, AICP, Planning Director

Norfolk City Planning Commission

The Norfolk City Planning Commission (henceforth referred to as the “Planning Commission” or “CPC”) is a seven-member body, appointed by City Council, responsible for the review of land use and zoning matters for the City of Norfolk. The Planning Commission makes recommendations on various matters to City Council, which is ultimately responsible for making a final decision on those matters. The Planning Commission is also responsible for the development and implementation of the City’s General Plan, *plaNorfolk2030*.

Planning Commission members in 2023 were: Kevin Murphy, Chair; Kim Sudderth, Vice-Chair; Scott Bateman; Jeremy McGee; Charlie Parker (October-December); Larry Pendleton; Lelia Vann (July-December); Kathryn Shelton (January-August); and Dr. Ramona Austin (January-June). Robert J. Tajan, Planning Director, served as Executive Secretary.

The CPC met on 23 separate occasions in 2023, convening the second and fourth Thursday of each month except November and December, where only one meeting was held each month due to the holidays. In addition to these, the Commission also met for an all-day retreat in September. The table below illustrates each member’s attendance for the year. Note that 9 of the 24 meetings were held virtually due to the Coronavirus pandemic.

Member Name	Meetings in Attendance	Meetings Absent
Kevin Murphy, Chair	21	2
Kim Sudderth, Vice-Chair	20	3
Dr. Ramona Austin**	7	3
Scott Bateman	21	2
Jeremy McGee	22	1
Charlie Parker*	1	2
Larry Pendleton*	20	3
Kathryn Shelton**	10	6
Lelia Vann*	9	1

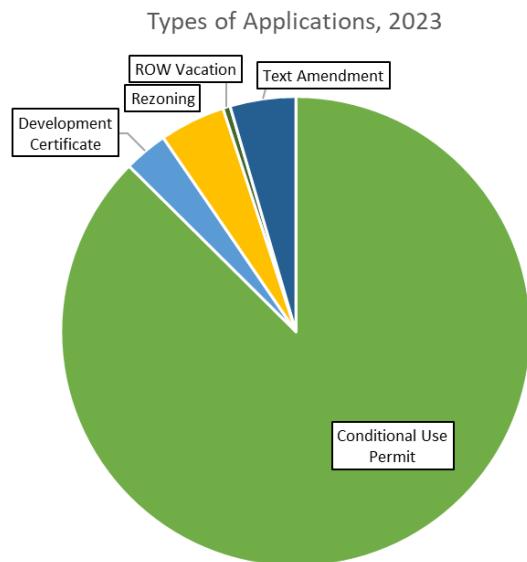
* Joined the commission during 2023 calendar year.

** Left the commission during 2023 calendar year.

In 2023, the Planning Commission processed 199 planning and zoning applications along with 16 design review items from the Architectural Review Board. Additionally, the Planning Commission considered presentations on many other topics throughout the year, including the Safe Night program, *Parks and Recreation Master Plan*, *Elevating Homes Pattern Book*, *NFK2050* updates, Program for Public Information, and day care homes.

Applications Reviewed

Of the 199 planning and zoning applications submitted to the Planning Commission in 2023, Conditional Use Permits (CUPs) once again represent the lion's share. 174 of the 199 applications were CUPs, which is 87.4% of all applications. Rezonings and Text Amendments represent the second largest percentage, followed, in order, by Development Certificates, and Right-of-Way (ROW) Vacations. 2023 saw the highest number of CUP's on record and the fewest rezonings and ROW Vacations in at least the last 16 years. The following table illustrates the disposition of all applications processed in 2023.

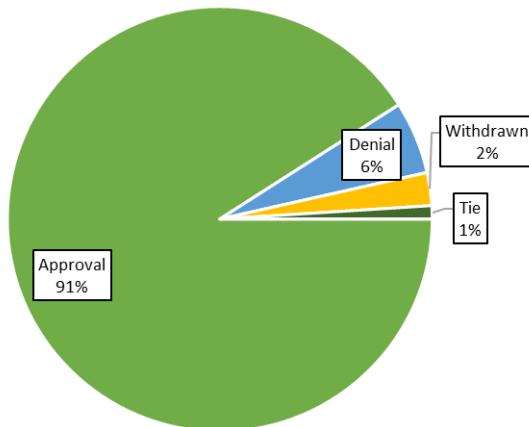


CPC Items & Recommendations, 2023

Application Type	Number	%	Approval	Denial	Withdrawn	Tie	% Approved
Conditional Use Permit	174	87.4%	158	11	4	1	90.8%
Development Certificate	6	3.0%	6	0	0	0	100.0%
Rezoning	9	4.5%	7	0	1	1	77.8%
ROW Vacation	1	0.5%	1	0	0	0	100.0%
Text Amendment	9	4.5%	9	0	0	0	100.0%
Totals	199	100%	181	11	5	2	91.0%

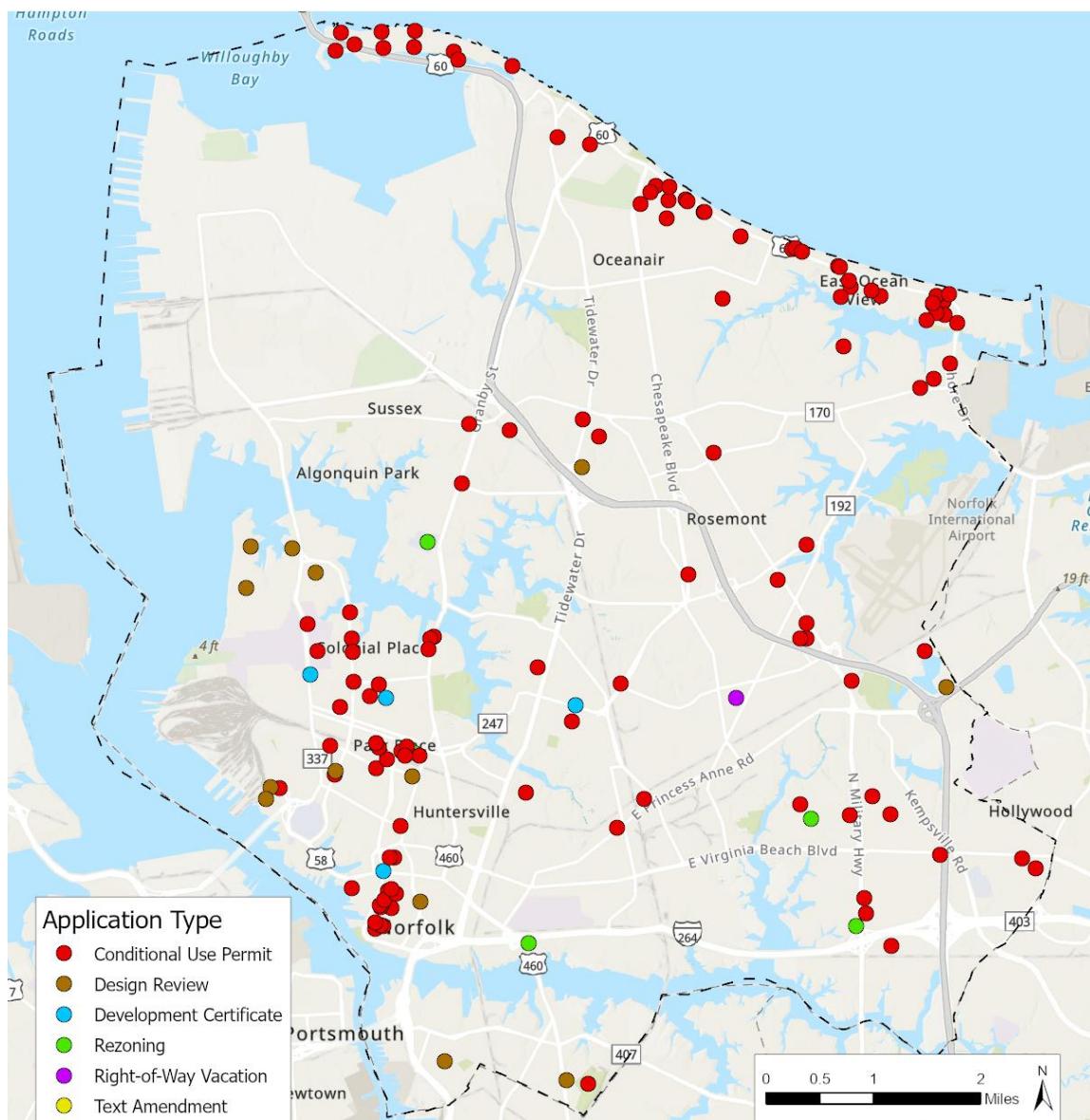
The Planning Commission recommended approval on 181 items, while voting to recommend denial of 11. Five items were withdrawn before the Commission vote and two items ended with a tie vote. The high approval rating from both the Planning Commission and the City Council (covered later) is due in large part to the efforts of staff to advise and guide applicants through the pre-approval process, assisting applicants in making improvements to their applications.

Recommended Actions, 2023



Applications Reviewed

The map below illustrates the geographic distribution of the types of applications reviewed by the Planning Commission in 2023. Each dot on the map represents one item or application reviewed by the Planning Commission in the year 2023.



Source: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Not reflected on this map are items reviewed by the Planning Commission in 2023 that are not specific to one location, but instead impact the entire city (Ex. Text amendments).

Conditional Use Permits Reviewed

CUPs are the most common type of application considered by the Planning Commission, representing 87.4% of all agenda items in 2023. This is much higher than in prior years in which 72.3% of agenda items in 2022 and 68.3% of agenda items in 2021 were CUP applications. Of the 174 CUPs reviewed in total by the CPC in 2023, the single most reviewed item was short-term rental CUPs at 45 applications or 25.9% of all applications. This is a significant increase from 2022 and 2021, when only 32 and 20, respectively, short-term applications were considered.

In total, 90.8% of conditional use permit applications were recommended for approval which is up from 87.2% last year. This is also 2% less than the 10-year average of 92.8%.

CUPs by Type & CPC Recommendations, 2023

CUP Type	Number	Percent	Approved	Denied	Withdrawn	Tie	% Approved
ABC Off-Premises	11	6.3%	9	2	0	0	81.8%
ABC On-Premises	33	19.0%	32	1	0	0	97.0%
After-hours membership establishment	1	0.6%	1	0	0	0	100.0%
Alternative Signage	1	0.6%	1	0	0	0	100.0%
Auto Related *	10	5.7%	10	0	0	0	100.0%
Banquet Hall	8	4.6%	7	1	0	0	87.5%
Billboard	1	0.6%	0	0	1	0	0.0%
Commercial Recreation Center	2	1.1%	2	0	0	0	100.0%
Convenience Store	4	2.3%	3	1	0	0	75.0%
Daycare Home	1	0.6%	1	0	0	0	100.0%
Drive-through Facility	6	3.4%	6	0	0	0	100.0%
Extended Hours	8	4.6%	8	0	0	0	100.0%
Fuel or bottled gas distribution	1	0.6%	1	0	0	0	100.0%
Home Occupation	1	0.6%	1	0	0	0	100.0%
Live Entertainment	17	9.8%	16	1	0	0	94.1%
Multifamily	1	0.6%	1	0	0	0	100.0%
more than 50% of 1st floor to be utilized for res. uses	1	0.6%	1	0	0	0	100.0%
Nightclub	3	1.7%	3	0	0	0	100.0%
Office Spaces	1	0.6%	1	0	0	0	100.0%
Outdoor Seating with extended hours of operation	1	0.6%	1	0	0	0	100.0%
Production of Craft Beverages	6	3.4%	5	1	0	0	83.3%
Reduce required parking	1	0.6%	1	0	0	0	100.0%
Religious Institution	1	0.6%	1	0	0	0	100.0%
Residential Use	1	0.6%	1	0	0	0	100.0%
Retail Good Establishment	1	0.6%	1	0	0	0	100.0%
Short-Term Rental	45	25.9%	38	3	3	1	84.4%
Smoke or Vape Products	5	2.9%	4	1	0	0	80.0%
Smoke or Vape Shop	1	0.6%	1	0	0	0	100.0%
Solar Energy Collection Facility	1	0.6%	1	0	0	0	100.0%
Total	174	100.0%	158	11	4	1	90.8%

* The “Auto Related” field represents several different CUP types: Auto Storage; Auto Sales; Auto Repairs; Boat Sales, Rental, Service, or Repair; Car Wash; Electric Vehicle Charging Station; Recreational Vehicle Sale, Rental, and Maintenance; and Tire Sales and Repair.

In August 2022, City Council adopted a new zoning text amendment, allowing for an expedited CUP process in certain circumstances. The new process allows restaurants with a CUP to change managers, nightclubs or banquet halls with a CUP to change managers if they convert to restaurant uses, and allows for restaurants to change or add outdoor dining. The expedited process eliminates the requirement for applicants to attend a Civic League meeting or appear before the City Planning Commission and reduces the application fee.

City Council granted 5 CUPs through this expedited process in 2023.

Norfolk City Council Disposition of CPC Items

The following table reflects Norfolk City Council's actions relative to the CPC's recommendations, by application type. Of the 199 items reviewed by the Planning Commission in 2023 (excluding withdrawn items), 93.3% were recommended for approval. 98.5% of the items considered by City Council were approved, though the specific items approved and denied differed slightly from Planning Commission recommendations.

Planning Commission and City Council Actions, 2023

Application Types	CPC Recommendation			City Council Resolution				% App. by City Council	Pending*
	Approval	Denial	Tie	Approved	Denied	Withdrawn			
Rezoning	7	0	1	6	0	0	100.0%		2
Cond. Use Permit***	158	11	1	150	12	1	92.6%		4
ROW Vacation	1	0	0	1	0	0	100.0%		0
Text Amendment	9	0	0	9	0	0	100.0%		0
Dev. Certificate**	6	0	0	3	0	0	100.0%		0
Total	181	11	2	169	12	1	98.5%		6

* Pending: Items that were voted on by CPC but have not been reviewed by City Council.

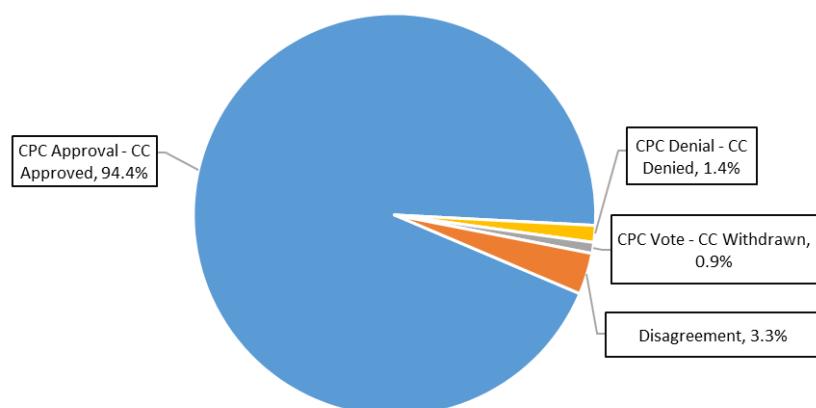
** Three Dev. Certificates did not request waivers from the standards of the district, meaning they only required Planning Commission approval and are therefore not included in these figures.

*** Two CUPs were referred back to CPC for a second vote by City Council. The additional CPC votes are included in this total, however only one City Council vote is recorded.

City Council generally agrees with the recommendations of the Planning Commission.

Since 2014, City Council has agreed with Planning Commission's recommendation – for either approval or denial – 95.8% of the time. An additional 0.9% of items were withdrawn prior to a vote from City Council. This means that the two bodies have disagreed on only 3.3% – 49 out of 1,474 – of all items reviewed by both bodies in 10 years.

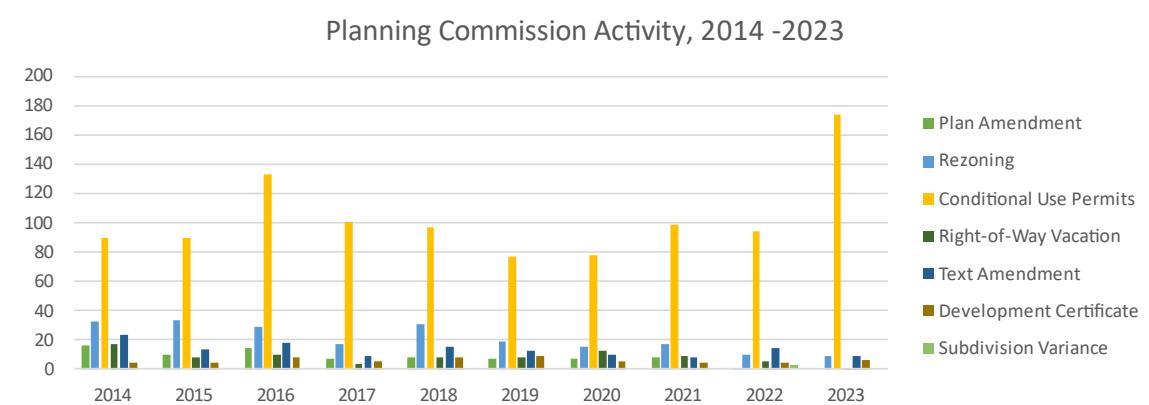
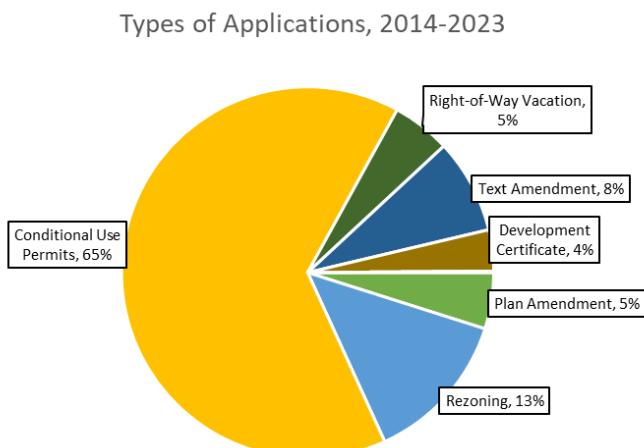
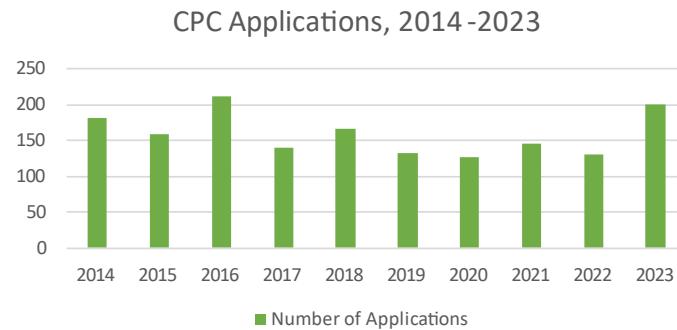
Planning Commission and City Council Actions, 2014-2023



Planning & Zoning Applications Reviewed – Ten Year Review

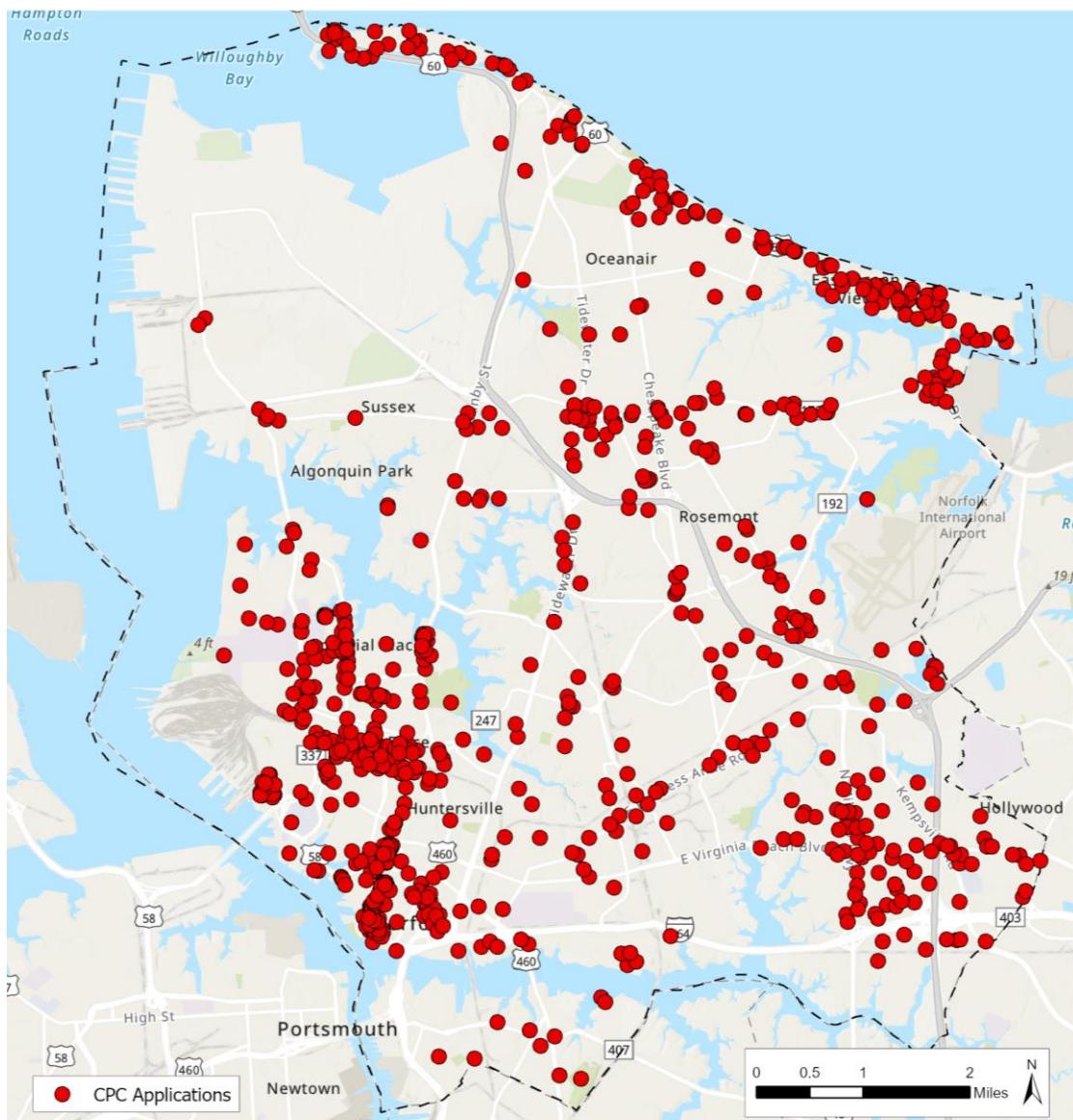
The number of applications to the Planning Commission had been falling since the adoption of the new Zoning Ordinance in 2018. In the past few years however, the number of applications has started to rise again. 2023 had the second highest number of applications reviewed in the last 10 years and about 27% more than the 10 year average of 159.4 applications. A total of 1,594 applications have been submitted to the Planning Commission since 2014.

The conditional use permit has remained the most common application type for the entire 10-year period, consistently making up over 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 there was a reduction in CUPs with the adoption of the 2018 Zoning Ordinance and an uptick in CUP activity since 2020 with the addition of CUPs for some short-term rentals and ABC uses.



Planning & Zoning Applications Reviewed – Ten Year Review

The map below illustrates the geographic distribution of applications reviewed by the Planning Commission between 2014 and 2023.

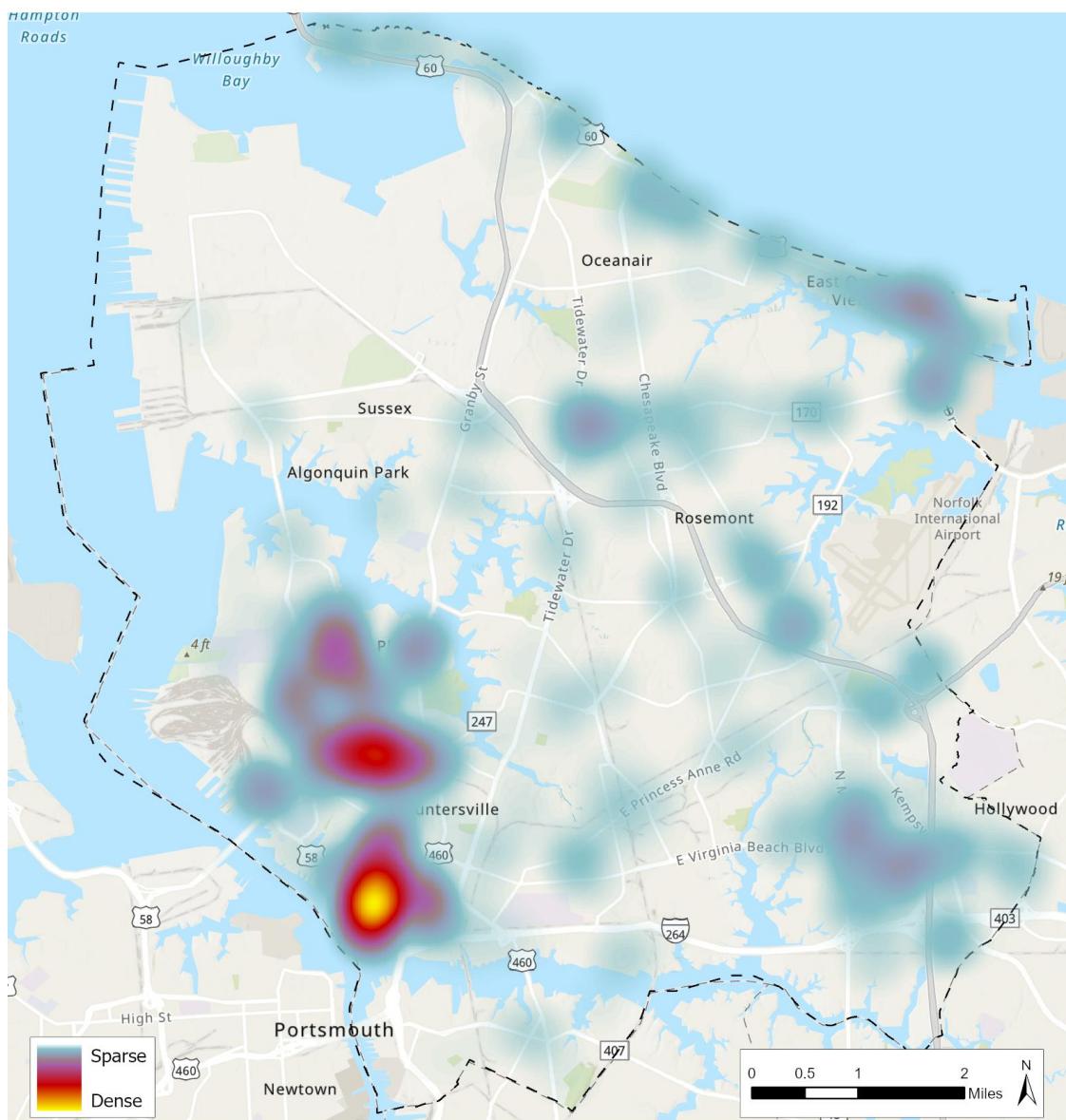


Disclaimer: The above map only accounts for applications with a specific location. Applications with a city-wide reach are not found within the data for this map.

As was the case for the map found in the “Applications Reviewed” section of this report, the dots in the above map represent applications with a specific location. These dots do not represent applications that affect the entire city.

Planning & Zoning Applications Reviewed – Ten Year Review

Like the map found on the previous page, the map below illustrates the geographic distribution of applications reviewed by the Planning Commission between 2014 and 2023. The map below, however, highlights where a greater concentration of the applications reviewed by the Planning Commission over the last 10 years are located. The yellow areas are where the highest concentration of applications is found. The areas with no color are where little to no application clustering is found.



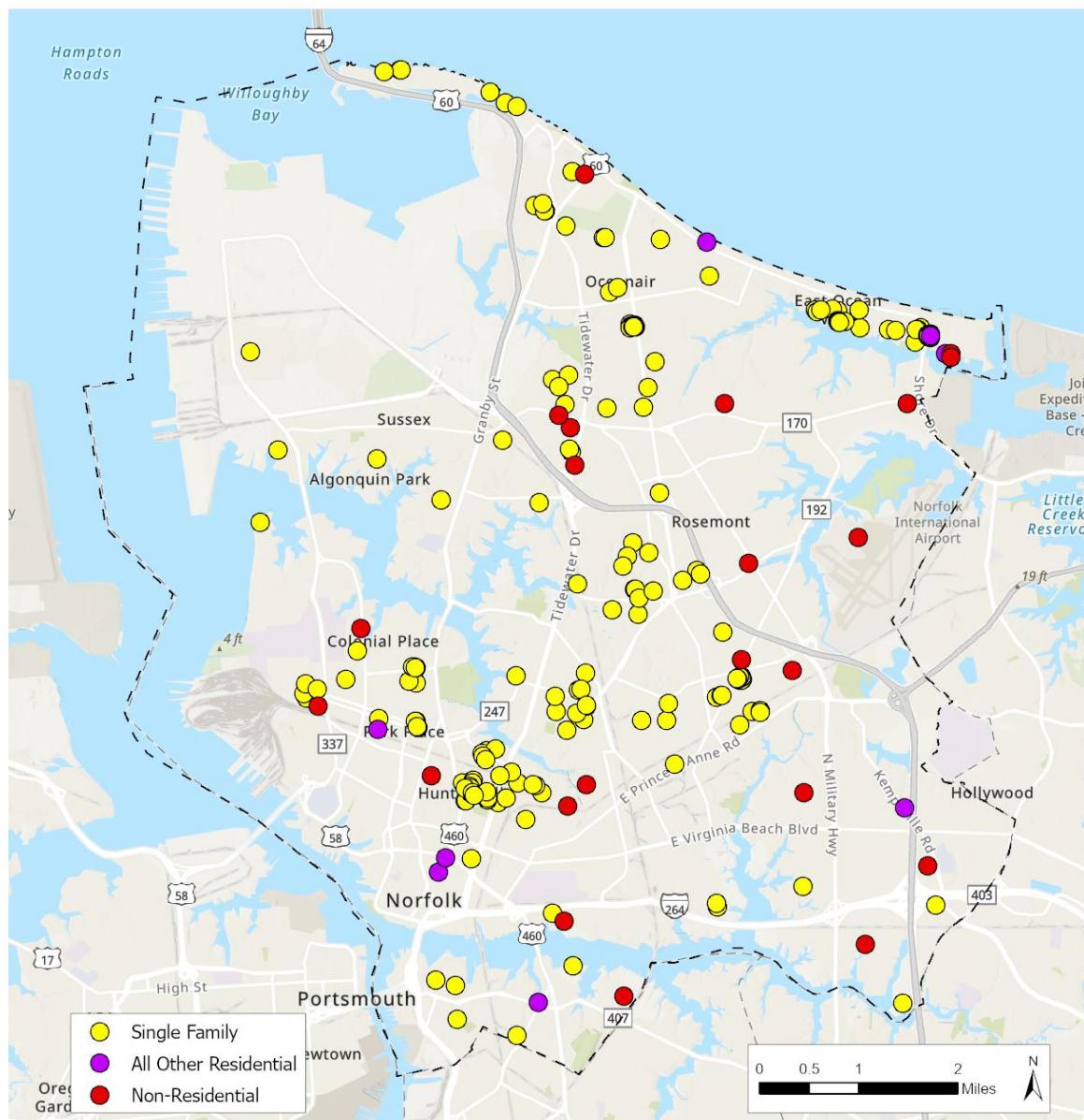
Disclaimer: The above map only accounts for applications with a specific location. Applications with a city-wide reach are not found within the data for this map.

Architectural Review Board

In previous years, this report included a summary of items voted on by the Architectural Review Board (ARB), including Certificates of Appropriateness (COAs) and design review items. Starting in June 2015, Norfolk became a Certified Local Government (CLG) which allowed the ARB to have the final say on COAs instead of CPC. Therefore, data on COA items will no longer be included as part of the CPC Annual Report. Design review items are still included in this report, as CPC provides final recommendation on those items.

Building Permits

Many of the applications brought forth to Planning Commission result in new construction projects, reaching every part of Norfolk. The map below shows the location of building permits issued in 2023 for new construction. Single family home locations are shown in yellow; all other residential new construction is shown in purple; and non-residential new construction is shown in red. The highest concentrations of new construction were in East Ocean View and Olde Huntersville.



Building Permits

Impact on Planning Staff Workload

Each dot on the map from the previous page shows new construction building permits issued in 2023. Along with a building permit, each project requires a host of reviews and inspections. Each one of these building types reflects a significant workload on City Planning staff.

Below is a list of requirements for new construction:

Single-family home	Other Residential	Non-Residential
<ul style="list-style-type: none"> • Plan Review • Zoning Review • Permits <ul style="list-style-type: none"> ○ 5 minimum • Inspections <ul style="list-style-type: none"> ○ 17 minimum • Certificate of Occupancy 	<ul style="list-style-type: none"> • Site Plan Review • Plan Review • Zoning Review • Permits <ul style="list-style-type: none"> ○ 5 minimum • Inspections <ul style="list-style-type: none"> ○ 17 minimum • Certificate of Occupancy 	<ul style="list-style-type: none"> • Site Plan Review • Plan Review • Zoning Review • Permits <ul style="list-style-type: none"> ○ 5 minimum • Inspections <ul style="list-style-type: none"> ○ 17 minimum ○ Add 12+ for sprinklered buildings • Certificate of Occupancy

Other possible reviews: Chesapeake Bay Preservation Area, erosion & sediment control, stormwater, landscaping, fire protection, floodplain, design review, ROW (driveway), Utilities (water & sewer taps)

By the Numbers

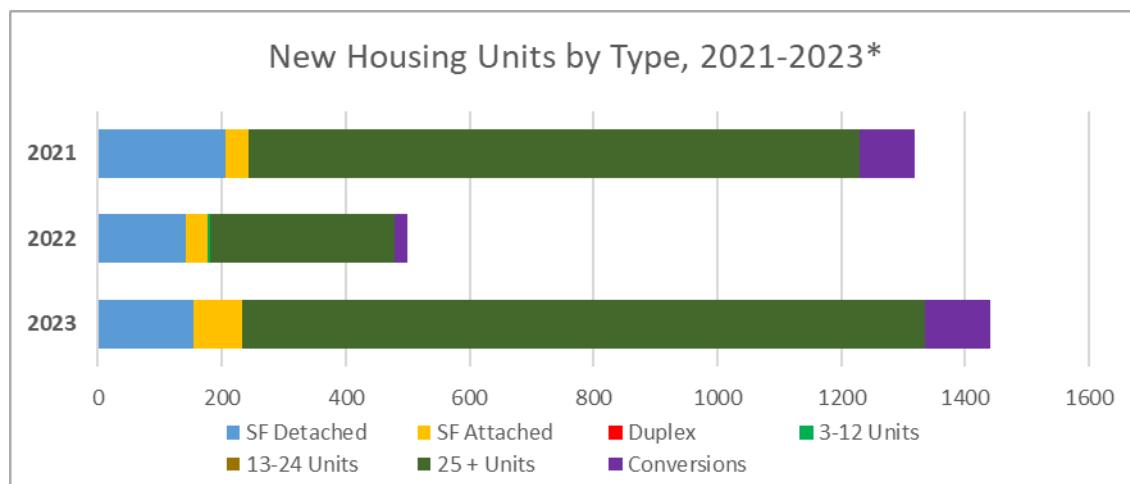
Below are some quantitative analysis of the efforts tied to support new development and business activity in Nofolk:

- Reviewed **2,688** building plans
- Issued **10,825** permits (amusement, building, demolition, electrical, elevator, fire protection, mechanical, occupancy, plumbing, sign, and zoning permits)
- Completed **28,127** permit inspections
- Completed **1,060** zoning inspections
- Reviewed **1,661** business license requests
- Issued **772** zoning violation notices
- Approved **91** site plan review projects
- Completed **2,081** site plan review environmental inspections on **42** site plans
- Completed **1,036** single-family home environmental inspections on **249** new single-family homes

New Housing Units

The City of Norfolk is seeking opportunities to support and create a diversity of housing options, including “missing middle” housing. Following are data to begin to better track these development types, typically between 2 and 24 housing units each.

2023 was a busy year for building permits. There were 155 single-family detached units, 77 single-family attached units (typically townhomes), zero duplexes, zero 3-12 units, zero 13-24 units, 1,104 25 or more-unit dwellings, and 105 residential conversions permitted in 2023.



Year	SF Detached	SF Attached	Duplex	3-12 Units	13-24 Units	25 + Units	Conversions
2023	155	77	0	0	0	1,104	105
2022	142	34	0	6	0	296	21
2021	205	39	0	0	0	985	90

*Building permit data are subject to change over time as projects are cancelled or re-permitted. The data reflect the latest permit issuance date.

Major residential developments that moved into the permitting stage during 2023 are shown in the table below.

Multifamily Building Permits Valued Over \$1 million (2023)

First Permits Issued	Project Name	Project Location
February	Liv Norfolk (Building 1) - 147 units	6163 Kempsville Circle
February	Liv Norfolk (Building 2) - 148 units	6163 Kempsville Circle
March	Aspire - 85 units	645 Church Street
June	St Paul's Redevelopment Block 20 - 120 units	451 Church Street
August	St Paul's Redevelopment Block 17 - 68 units	431 Church Street
August	St Paul's Redevelopment Block 18 - 72 units	550 E Freemason Street

Completed Projects

2023 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 2023.



The Lofts at Front Street – 533 Front Street



Market Heights Apartments – 601 May Avenue



The Habersham – 4301 Pleasant Avenue



Chase Bank – 777 W 21st Street



Riverside Station – 5786 Sellger Drive

Completed Projects



Old Time Pottery – 741 E Little Creek Road



142 West York Street Apartments



Afterglow Brewery – 2330 Bowdens Ferry Road



Brothers – 300 Monticello Avenue



District Apizza – 2411 Granby Street

Plans and Other Projects

2023 was another busy year in City Planning. Several significant planning projects were kicked off or completed during the year, including *NFK2050* and the *Elevating Homes Pattern Book*.

NFK2050, Norfolk's Comprehensive Plan update, launched publicly in October. *NFK2050* will create a framework for how our city will grow and evolve over the next 25 years. The Comprehensive Plan relies heavily on public input to ensure the vision, goals,

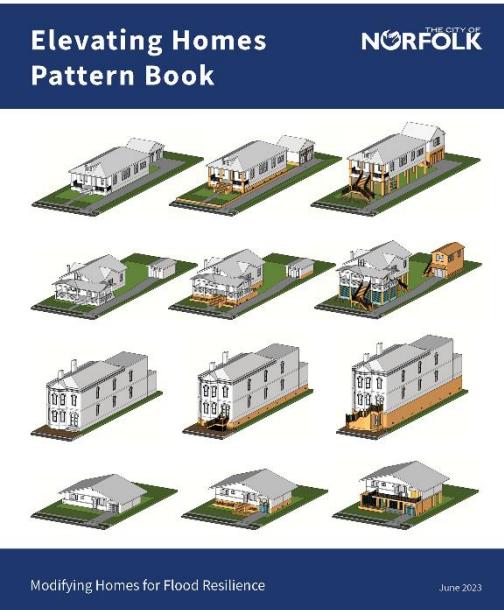


NFK 2050

strategies, and actions contained in the plan represent a unified direction from the community. Once adopted, *NFK2050* will be used to guide the City's decisions on many topics that affect the

daily lives of residents and stakeholders, including (but not limited to) housing, arts and culture, transportation & mobility, economic development, natural/built environment, land use policies, capital improvement program (CIP) projects, and historic preservation. The final plan is expected to be completed in Spring 2025.

The *Elevating Homes Pattern Book* was adopted in June. The goal of the Pattern Book is to increase affordable housing opportunities, by providing safe, resilient homes. By raising homes out of the floodplain, homeowners will have an opportunity to reduce their flood insurance costs as well as costs associated with the preparation for and recovery from major flood events, making home ownership in the city more affordable, especially for those on fixed incomes. The Pattern Book also promotes economic development for local businesses, supporting the growing home elevation industry across the region.



Review of 2023 Work Program

The 2023 work program is included 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.

Project	Status
NFK2050 – multiyear project with plan completed in 2025 2023 Action Items <ul style="list-style-type: none"> • Existing Conditions Report • Public kickoff and engagement sessions • Formation of committees, teams, and groups • Review and inventory of existing plans and documents 	In process Complete In process Complete
Broad Creek Refresh Plan implementation <ul style="list-style-type: none"> • Continue pursuit and implementation of brownfields grants for the Globe Iron sites 	Complete
Housing Policy Issues <ul style="list-style-type: none"> • Implement Missing Middle housing by developing a model site plan • Missing Middle Demonstration Project – identify potential site • Inclusionary Housing Policy – in support of the Department of Housing and Community Development • Identify and pursue follow up actions from Inclusionary Housing Policy 	In process In process In process In process
Undergrounding utilities—explore policy changes that could support future code amendments (<i>tied to resilience quotient work</i>)	In process
Tree canopy pilot program (in concert with Parks & Recreation)	Not started
Historic Resources survey for Campostella Heights, Central Park, and completing the National Register update for West Freemason	In process
Evaluation and consideration of revisions to parking regulations in the traditional character district	Not started
Resilience Quotient Analysis and Updates <ul style="list-style-type: none"> • Preliminary findings of program impact / best practices / etc. (two-year program that commenced in Summer 2021) • Resilience quotient code revisions based on results of evaluation 	In process In process
Enhanced drainage review standards for single-family homes	Complete
Low Impact Design Manual	Not started
Elevating Homes Pattern Book	Complete

Project	Status
Community Rating System (CRS) <ul style="list-style-type: none"> • Program for Public Information (PPI) annual report • 2022 Flood Insurance Assessment (FIA) update • 2022 Hazard Mitigation Plan annual report 	Complete Complete Complete
DEQ Five-Year Program Review – review of environmental program implementation and management (tied to DEQ schedule)	In process
Update zoning regulations for industrial uses (with Economic Development)	In process
Update zoning regulations for downtown uses & signage (with DNC) Downtown uses complete	Complete
Convert legacy PDs to base zoning districts	Not started
23 rd Street / Railroad District Plan	Complete
Outdoor dining city code and zoning changes	Complete
Floodplain Management Plan	In process
Redevelopment of Department website	Complete
Acquire ArcGIS Urban, train staff, and incorporate into workflows	Not started
Create “Eco-Districts” (overlay zoning districts) pending final Knitting Mill Creek Eco-Corridor Plan	Not started
Military Highway/Circle UDA area – staff support for redevelopment effort	Ongoing
St. Paul’s Redevelopment – staff support for the planning and implementation of St. Paul’s vision	Ongoing
Disposition of vacant city owned property – staff support as necessary	Ongoing
Norfolk resilience efforts – staff support for the planning and implementation of resilience improvements	Ongoing
EPA Brownfields Grant opportunities	Ongoing
Zoning Ordinance maintenance – consideration of necessary revisions to Zoning Ordinance	Ongoing
Major development projects – staff support for various projects	Ongoing
Vision Zero – staff support	Ongoing
Improvements to online permitting system – finalize upgrades to support permit submittals and reviews through portal	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
Joint Planning Commission/NRHA Board meeting(s)	As needed

2024 Work Program

As the Planning Commission transitions into another year, there are many projects currently underway or planned for initiation in 2024. Below is a list of projects Planning Department staff and the Planning Commission should be working on over the coming year. While this may not represent all projects and tasks, it is intended to be a snapshot at the beginning of the year of what activities are anticipated.

Project	Projected Project Timeframe
NFK2050 – multiyear project with plan completed in 2025 2024 Action Items <ul style="list-style-type: none"> • Existing Conditions Assessment • Public Workshop Series, Phase 2 • Citywide Public Engagement Survey 	Late 2024
Zoning Ordinance updates <ul style="list-style-type: none"> • Accessory Dwelling Units • Short-Term Rentals • Site Plan Review • Development Definitions and Applicability 	Late 2024 Mid 2024 Mid 2024 Mid 2024
Broad Creek Refresh Plan implementation <ul style="list-style-type: none"> • Complete brownfields reports and closeout grants • Find funds to remediate Globe Iron sites 	Mid 2024
Historic Resources survey for Anna Street and Lindenwood (Phase 1)	Mid 2024
Community Rating System (CRS) <ul style="list-style-type: none"> • Program for Public Information (PPI) annual report • 2023 Flood Insurance Assessment (FIA) update • 2023 Hazard Mitigation Plan annual report • Close Community Assistance Visit 	Late 2024
Update zoning regulations for industrial uses (with Economic Development)	Late 2024
Update zoning regulations for Downtown first floor active use requirements	Late 2024
23 rd Street / Railroad District Plan	Mid 2024
Acquire ArcGIS Urban, train staff, and incorporate into workflows	Late 2024
Zoning Ordinance maintenance and revisions	Ongoing
Resilience Quotient Analysis and Updates <ul style="list-style-type: none"> • Preliminary findings of program impact / best practices / etc. (two-year program that commenced in Summer 2021) • Resilience quotient code revisions based on results of evaluation 	Ongoing