

## **Application Instructions**

Please provide the following items and information requested in the checklist below along with the application found on pages 3-4.

Once your application and supporting materials have been submitted to the Department of Planning and Community Development, you will be contacted by the Planner assigned to the project who will assist you and/or your representative during the process.

A summary of the Conditional Use Permit process is provided on the following page. If you have any questions regarding the process or the requests for information, please contact the Planning and Community Development Department at (757) 385-4621 or by email at [planadmn@vbgov.com](mailto:planadmn@vbgov.com).

Additional information about the Planning Commission/City Council process and procedures can be found at [www.vbgov.com/pc](http://www.vbgov.com/pc).

## **Application Checklist**

- ☐ **Application**
- ☐ **Property owner's signature and applicant's signature**  
*Note: A copy of the purchase contract for the property may be included in lieu of the property owner's signature if the contract clearly identifies approval of the application as a contingency of the contract.*
- ☐ **Disclosure Statement**
- ☐ **Fee** payable to "Treasurer, City of Virginia Beach"
  - \$360 application and notification fee (Public notice, certified mailing to adjacent property owners, and public notice signs) for non-profit organizations or home occupations - **or** -
  - \$1,090 application and notification fee for all other uses
- ☐ **Property survey** (Unless concept plan includes current survey information)
- ☐ **Proposed concept plan** (Four large copies and one copy on 8.5" x 11") including:
  - Scale, dimensions of lot
  - Information related to: topography, natural features, adjacent land uses, and open space areas; existing and proposed structures, setbacks, parking spaces, drive aisles, sidewalks, freestanding signs, vehicular access points, plant material, etc.
  - Tabulation of required parking spaces
- ☐ **Proposed renderings and/or building elevations** (Four large copies and one copy on 8.5" x 11") including:
  - Scale
  - Exterior building materials and color schemes
  - Location and depiction of sign(s) to be attached to the building
- ☐ **Preliminary Stormwater Analysis** (If the subject property of the application is located in the Southern Rivers watershed and requires land disturbance)

## Conditional Use Permit Process

### Optional Pre-Application Meeting

- Prior to submittal of an application, applicants are encouraged to meet with a Staff planner by email, phone, or in-person to discuss the application

### Application Submitted

- Application submitted in-person at the Department of Planning and Community Development or via Accela
- Deadline is the first business day of each month

### Application Review

- Application assigned to a Staff planner and reviewed by City departments (Public Works, Public Utilities, Parks and Recreation, etc.)
- Staff formulates a recommendation for Planning Commission's consideration

### Public Notice #1

- Notification signs posted on the subject property by the applicant 30 days prior to the Planning Commission public hearing and remain posted through City Council public hearing
- City mails notification letters to all adjacent property owners
- City advertises the request in the Virginian-Pilot Beacon twice and on the City website

### Planning Commission Public Hearing

- Application considered by Planning Commission at the public hearing
- Planning Commission reviews Staff's recommendation
- Members of the public have the opportunity to voice their opinions at the hearing
- Planning Commission votes to recommend approval or denial of the application to the City Council

### Public Notice #2

- Notification signs must remain posted on the subject property until the City Council public hearing
- City mails notification letters to all adjacent property owners
- City advertises the request in the Virginian-Pilot Beacon twice and on the City website

### City Council Public Hearing

- Application is considered by the City Council at the public hearing
- City Council reviews both Staff's and Planning Commission's recommendations
- Members of the public have the opportunity to voice their opinions at the hearing
- City Council approves, denies or defers the application

### Decision Letter

- Results of the City Council decision are forwarded to the applicant, property owner and representative

# Conditional Use Permit

## **Contact Information**

Applicant's Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Applicant's Representative \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Property Owner's Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

## **Property Information**

Address or Location \_\_\_\_\_

GPIN(s) \_\_\_\_\_

Land area (acres or square feet) \_\_\_\_\_ City Council Election District \_\_\_\_\_

Existing Zoning \_\_\_\_\_ Overlay District ☐ Yes ☐ No (If yes, specify \_\_\_\_\_)

Strategic Growth Area (SGA) ☐ Yes ☐ No (If yes, specify \_\_\_\_\_)

AICUZ \_\_\_\_\_ Watershed \_\_\_\_\_

Special Flood Hazard Area ☐ Yes ☐ No (If yes, specify \_\_\_\_\_)

If you need assistance with obtaining any of the above information, please contact the Planning and Community Development Department for assistance at (757) 385-4621.

## **Conditional Use Permit Request**

Type of Conditional Use Permit being requested (As listed in the applicable Zoning District Use Regulations)

## **Conditional Use Permit Details**

Please provide a detailed description of the proposal below. Include information related to previously approved City Council actions, pending or anticipated variance requests and/or Chesapeake Bay Preservation Act requests, number of units, square footage of building, exterior building materials, hours of operation, number of employees, etc.

# Disclosure Statement

The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a City board, commission or other body.

## Applicant Disclosure

**Applicant Name** \_\_\_\_\_

**Does the applicant have a representative?** ☐ **Yes** ☐ **No**

- If **yes**, list the name of the representative.

\_\_\_\_\_

**Is the applicant a corporation, partnership, firm, business, trust or an unincorporated business?** ☐ **Yes** ☐ **No**

- If **yes**, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- If **yes**, list the businesses that have a parent-subsiary<sup>1</sup> or affiliated business entity<sup>2</sup> relationship with the applicant. (Attach a list if necessary)

\_\_\_\_\_

\_\_\_\_\_

<sup>1</sup> "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

<sup>2</sup> "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

# Disclosure Statement

## Known Interest by Public Official or Employee

Does an **official or employee of the City of Virginia Beach** have an interest in the subject land or any proposed development contingent on the subject public action? ☐ **Yes** ☐ **No**

- If **yes**, what is the name of the official or employee and what is the nature of the interest?
- 

## Applicant Services Disclosure

1. Does the applicant have **any existing financing (mortgage, deeds of trust, cross-collateralization, etc)** or are they considering **any financing** in connection with the subject of the application or any business operating or to be operated on the property?

☐ **Yes** ☐ **No**

- If **yes**, identify the financial institutions providing the service.
- 

2. Does the applicant have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property?

☐ **Yes** ☐ **No**

- If **yes**, identify the company and individual providing the service.
- 

3. Does the applicant have services for **accounting and/or preparation of tax returns** provided in connection with the subject of the application or any business operating or to be operated on the property? ☐ **Yes** ☐ **No**

- If **yes**, identify the firm and individual providing the service.
- 

4. Does the applicant have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property? ☐ **Yes** ☐ **No**

- If **yes**, identify the firm and individual providing the service.
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5. Is there any other **pending or proposed purchaser** of the subject property? ☐ **Yes** ☐ **No**

- If **yes**, identify the purchaser and purchaser's service providers.
-

# Disclosure Statement

6. Does the applicant have a **construction contractor** in connection with the subject of the application or any business operating or to be operated on the property? ☐ **Yes** ☐ **No**

- If **yes**, identify the company and individual providing the service.

7. Does the applicant have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property? ☐ **Yes** ☐ **No**

- If **yes**, identify the firm and individual providing the service.

8. Is the applicant receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property? ☐ **Yes** ☐ **No**

- If **yes**, identify the firm and individual providing the service.

## Applicant Signature

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, **I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.**

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Date

Is the applicant also the owner of the subject property? ☐ **Yes** ☐ **No**

- If **yes**, you do not need to fill out the owner disclosure statement.

**FOR CITY USE ONLY/ All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the applications**

<input type="checkbox"/>	No changes as of	Date		Signature	
				Print Name	

**Continue to Next Page for Owner Disclosure**



# Disclosure Statement

## Owner Disclosure

Owner Name \_\_\_\_\_

Applicant Name \_\_\_\_\_

Is the Owner a corporation, partnership, firm, business, trust or an unincorporated business? ☐ Yes ☐ No

- If **yes**, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

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- If **yes**, list the businesses that have a parent-subsiary<sup>3</sup> or affiliated business entity<sup>4</sup> relationship with the Owner. (Attach a list if necessary)

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## Known Interest by Public Official or Employee

Does an **official or employee of the City of Virginia Beach** have an interest in the subject land or any proposed development contingent on the subject public action? ☐ Yes ☐ No

- If **yes**, what is the name of the official or employee and what is the nature of the interest?

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<sup>3</sup> "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

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## Owner Services Disclosure

1. Does the Owner have **any existing financing (mortgage, deeds of trust, cross-collateralization, etc)** or are they considering any **financing** in connection with the subject of the application or any business operating or to be operated on the property?

☐ Yes ☐ No

- If **yes**, identify the financial institutions providing the service.
- 

2. Does the Owner have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property?

☐ Yes ☐ No

- If **yes**, identify the company and individual providing the service.
- 

3. Does the Owner have services for **accounting and/or preparation of tax returns** provided in connection with the subject of the application or any business operating or to be operated on the property? ☐ Yes ☐ No

- If **yes**, identify the firm and individual providing the service.
- 

4. Does the Owner have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property? ☐ Yes ☐ No

- If **yes**, identify the firm and individual providing the service.
- 

5. Is there any other **pending or proposed purchaser** of the subject property? ☐ Yes ☐ No

- If **yes**, identify the purchaser and purchaser's service providers.
- 

6. Does the Owner have a **construction contractor** in connection with the subject of the application or any business operating or to be operated on the property? ☐ Yes ☐ No

- If **yes**, identify the company and individual providing the service.
- 

7. Does the Owner have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property? ☐ Yes ☐ No

- If **yes**, identify the firm and individual providing the service.
-

# Disclosure Statement

8. Is the Owner receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property? ☐ **Yes**   ☐ **No**
- If **yes**, identify the firm and individual providing legal the service.
- 

## Owner Signature

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, **I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.**

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**Owner Signature**

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**Print Name and Title**

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**Date**