



CITY OF VIRGINIA BEACH AGENDA ITEM

ITEM: A Resolution Adopting a Policy for Public Outreach and Engagement for Development Applications that Require City Council Approval

MEETING DATE: November 10, 2020

■ **Background:** The consideration of planning and zoning applications is a core function of municipal government. Ensuring transparency and public outreach are critical elements in the process and result in better applications and better projects. The goal of this policy is to ensure residents affected by development projects that require City Council approval have ample opportunity to learn about and provide input regarding the project. If a discretionary application meets the application type listed in the policy, the applicant is encouraged to undertake organized public outreach efforts prior to consideration of the application by City Council. The policy encourages the utilization of a variety of outreach measures to ensure residents have more than one avenue for engagement.

■ **Considerations:** This is a pilot policy to gauge the effectiveness of varying public engagement outreach measures that facilitate engagement between an applicant and surrounding property owners. This policy may be re-evaluated in the future for effectiveness of public engagement.

■ **Public Information:** Normal council agenda process.

■ **Recommendations:** Adoption of City Council Policy.

■ **Attachments:** Resolution and City Council Policy.

Requested by Councilmember Henley

REQUESTED BY COUNCILMEMBER HENLEY

1 A RESOLUTION ADOPTING A POLICY FOR PUBLIC
2 OUTREACH AND ENGAGEMENT FOR DEVELOPMENT
3 APPLICATIONS THAT REQUIRE CITY COUNCIL
4 APPROVAL
5

6 WHEREAS, the City Council of the City of Virginia Beach recognizes residents
7 may be affected by development projects that require City Council approval;
8

9 WHEREAS, the City Council of the City of Virginia Beach seeks to ensure those
10 residents who are affected by development projects that require City Council approval
11 have ample opportunity to learn about and provide input regarding the project to the
12 developer.
13

14 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
15 OF VIRGINIA BEACH, VIRGINIA, THAT:
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17 The City Council hereby adopts the attached policy regarding outreach and
18 engagement measures for discretionary development applications.
19

 Adopted by the City Council of the City of Virginia Beach, Virginia on the _____
day of _____, 2020.

APPROVED AS TO LEGAL SUFFICIENCY:



City Attorney's Office

CA15240
R-4
November 2, 2020



City Council Policy

Title: Public Outreach and Engagement for Development Applications that Require City Council Approval		
Date of Adoption:	Dates of Revisions:	Page 1 of 4

1.0 **Purpose and Need**

To ensure successful, useful and meaningful engagement between applicants of the discretionary review process and surrounding residents and property owners whereby opportunities for citizen involvement and understanding are enhanced.

2.0 **Proposal**

If a discretionary application is submitted that is identified in Section 3.0 below, organized public outreach and information is encouraged to be provided by the applicant to inform the public, including residents and nearby property owners, of the application and potential impacts on adjacent properties. Along with existing requirements, the submittal of an application to the Planning Department should also include:

- a description of the communication strategy indicating what surrounding property owners/residents can expect before construction commences, during construction, and after construction is complete;
- a description of construction practices necessary (drive piles, place fill, etc.) to accomplish the proposal;
- information on the location of employee/construction worker parking plan;
- a description of the location of construction trailers, storage of construction equipment, staging areas, and construction accessways and entrances;
- a discussion of any existing plant material to be protected as well as planned buffers and plantings;
- a description of benefits to the surrounding properties because of the application (improved stormwater, traffic safety improvements, etc.) above and beyond what could be constructed on the site as a matter of right without City Council consideration.

The applicant should also use a variety of outreach measures to relay this information and other details of the development to surrounding residents and property owners as noted below.

- Use at least two Level I and two Level II outreach measures as listed below or as approved by the Planning Director or his designee.
- Document the implementation of the outreach and engagement tactics.
- Record (written, audio and/or video) all comments provided to the applicant as part of the outreach process.
- Provide a method of digital means for citizens to provide comments as well as phone number or mailing address to provide comments directly to the applicant.

The applicant may propose using other measures to satisfy the requirement. Any deviations from the prescribed list should receive approval from the Planning Director or his designee in advance of implementation.

The applicant is encouraged to address and/or respond to input received.

An application will be considered for a deferral by City Council if the applicant has not reported and submitted the documented results of the public outreach to Planning Department staff.

Level I Outreach Measures

- *Host an in-person meeting where the public is invited to learn and ask questions regarding the proposal at least 4 weeks prior to the Planning Commission public hearing and be held in the Council district where property is located.* Comments should be recorded by the applicant and provided to staff for inclusion in any reports to the Planning Commission. The property owners within a 0.25 mile radius should receive an invitation by mail via the United States Postal Service. The mailing list will be provided by the Planning Department.
- *At time of application submittal to the Planning Department, directly mail, using the United States Postal Service, all property owners within 0.25 mile radius of the property.* Mailing should provide the applicant's contact information as well as method(s) to provide comments and input on the project. The mailing list will be provided by the Planning Department.
- *Host an in-person meeting following the Planning Commission meeting in the Council district where property is located where the public is invited to learn and ask questions regarding the proposal at least 2 weeks prior to the City Council public hearing.* Comments should be recorded by the applicant and provided to staff for inclusion in any reports to City Council. The property owners within a 0.25 mile radius of the property should receive an invitation by mail via the United States Postal Service. Mailing list will be provided by the Planning Department.
- *Present details of the application to an appropriate City Council-appointed committee or commission prior to the Planning Commission public hearing.*
- *Attend an in-person meeting or virtual meeting with the organized civic organization in the area of the application a minimum of 4 weeks prior to the public hearing.* The location of the meeting should be within the Council district where the proposal is located. The applicant should provide details of the development as well as provide methods to which the public can obtain additional information as well as ways to provide public input.

Level II Outreach Measures

- *Create a Facebook page regarding the application with appropriate level of detail for the public.* Facebook page is to be kept current with project and meeting information, and applicant should respond to comments and questions. Page to be created within one of week of application submittal to the Planning Department.
- *Create a webpage regarding the application with appropriate level of detail for the public.* Webpage is to be kept current with project and meeting information and applicant should respond to comments and questions. The webpage should provide an email or comment area that allows for the public to provide comments. Page to be created within one of week of application submittal to the Planning Department.
- *Host a live video conferencing meeting that is verifiably advertised and promoted to potentially interested parties.* Civic organization and homeowners' association leaders in the area should be provided meeting information at least 2 weeks in advance of virtual meeting to ensure adequate notification. Virtual meeting should occur at least 4 weeks prior to the Planning Commission public hearing. An opportunity for the public to ask questions and for the applicant to respond should be a component of the meeting.

- *Create and post a video on webpage or Facebook page describing details of application at least 4 weeks in advance of the Planning Commission public hearing. Video should include methods for providing input either digitally or in writing.*
- *Create and post a survey on Facebook and/or webpage to receive public comment on application. The survey should be shared with the public either via a direct mailing using the United States Postal Service, email list services, organized civic organizations, or through online neighborhood methods similar to NextDoor. Survey should be activated at least 4 weeks prior to the Planning Commission public hearing. Results of survey should be posted on Facebook or webpage and provided to the Planning Department prior to the Planning Commission public hearing.*
- *Conduct a focus group with at least 10 property owners who own property within 0.50 miles of the site. Focus group should occur at least 4 weeks prior to the Planning Commission public hearing. Results of focus group should be posted on Facebook or webpage and provided to the Planning Department prior to the Planning Commission public hearing. Identifying and contacting property owners will be coordinated by the Planning Department's Development Liaison.*
- *Attach a QR Code and website URL within a direct mailing via the United States Postal Service to property owners within 0.25 miles of the site. Mailing should occur at least 4 weeks prior to the Planning Commission public hearing. The QR Code and website should provide links to information about the details of the project.*

3.0 Procedures to Accomplish Policy

Planning Department staff shall provide the policy to applicants and include the documentation of the activities required within the staff report presented to both the Planning Commission and City Council for the following applications.

- Rezoning of properties exceeding 3 acres
- Conditional Rezoning
- Uses subject to approval of a Conditional Use Permit and under the specific conditions

Airports, Heliports, & Helistops

Assembly Uses occupying over 6,000 square feet of floor area

Auto Repair Garages occupying over 6,000 square feet of floor area

Automobile Service Stations

Bars & Nightclubs

Borrow Pits

Car Wash Facilities occupying over 6,000 square feet of floor area

Craft Breweries, Craft Distilleries, & Craft Wineries

Colleges & Universities

Collection Depots for Recyclable Materials

Drive-In Theatres

Drugstores with Drive-Through Facilities in the B-4K District

Environmental Education Centers occupying over 6,000 square feet of floor area

Fiber-optics Transmission Facilities

Fraternity & Sorority Houses, Student Dormitories, & Student Centers

Golf Courses, private

Hospitals & Sanitariums

Housing for Seniors & Disabled Persons for more than 25 beds

Marinas, commercial

Mini-warehouses

Mobile Home Parks

Motor Vehicle Sales & Rentals for more than 10 vehicles

Multi-Family Dwellings for more than 4 units
Mulch Processing Facilities occupying over 10,000 square feet of area
Open-Air Markets greater than 1 acre
Parking Structures & Parking Garages
Private Sewage Treatment Facilities
Recreational & Amusement Facilities of an Outdoor Nature exceeding 5 acres
Recreational Campgrounds
Religious Uses on properties exceeding 5 acres
Recreational Resort Community
Satellite Wagering Facilities
Schools, private
Single Room Occupancy Facility for more than 10 units
Storage or Processing of Salvage, Scrap, or Junk
Truck & Trailer Rentals for more than 10 vehicles or trailers
Wildlife Rehabilitation Centers

4.0 Responsibility and Authority

Virginia Code Section 15.2-2205.