



**CONDITIONAL USE PERMIT APPLICATION
FOR A SOLID WASTE MANAGEMENT FACILITY**

CHESAPEAKE PLANNING DEPARTMENT

APPLICATION NUMBER: _____
(Assigned by Chesapeake Planning Department)

GENERAL INFORMATION

- Project Name:** _____
1. Applicant(s) Intending to Construct or Operate a Solid Waste Management Facility:
Name: _____
Address: _____
City: _____ State: ____ Zip: _____
Daytime Phone: _____ FAX Number: _____
E-mail address: _____
Interest in subject property: _____

 2. Agent(s): _____
Agency: _____
Address: _____
City: _____ State: ____ Zip: _____
Daytime Phone: _____ FAX Number: _____
E-mail address: _____
 3. Owner(s) of property: (If different from applicant)
Name: _____
Address: _____
City: _____ State: ____ Zip: _____
Daytime Phone: _____ FAX Number: _____
E-mail address: _____

DECLARATION

APPLICATION NUMBER: _____

PRIMARY TAX MAP NUMBER: _____

DECLARATION OF PLANNING COMMISSION / CITY COUNCIL INTEREST:

Does any member of the Planning Commission or City Council own or have any personal or financial interest in the land which is subject to this application, or has any personal or financial interest in the outcome of the decisions, as defined by the Virginia Conflict of Interest Act? No Yes If yes, please explain:

DECLARATION OF ACCURACY:

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that wrongful certification or failure to provide required or requested documents that become available after the initial submittal of this application may result in a delay in, or invalidation of, any official governmental action taken. Fraudulent representations may lead to additional penalties under law.

I, the undersigned, also certify that the list of adjacent property owners is complete and correct as of the date of this application submittal. I will update any changes in ownership of the property that is the subject of this application and adjacent property owners upon learning that any such property has been conveyed prior to final action on this application. I understand that if the list of adjacent property owners is determined to be inaccurate, out-of-date or incomplete at a later date, any action taken on this application may be deemed null and void.

DECLARATION OF FINANCIAL RESPONSIBILITY FOR ADVERTISING COSTS:

I, the undersigned, understand that the cost of newspaper advertising for public hearing notification purposes is my responsibility and agree to pay all notices of payment due and bills associated with advertising costs for this application, including all readvertisements for continuances and appeals. *Party responsible for advertising:* Applicant Agent

DECLARATION OF CONSENT:

I, the undersigned, consent to entry upon the subject property by public officers, employees, and agents of the City of Chesapeake wishing to view the site for purposes of processing, evaluating or deciding this application.

Applicant/Owner: _____

Applicant/Owner: _____

Applicant/Owner: _____

Applicant/Owner: _____

Agent: _____

DESCRIPTION OF PROPERTY

1. 13-digit Tax Map Number(s): _____,
_____,
_____.

2. Street Address (or common description if address is not available):

3. Borough: _____

4. Legal Description of the Property: _____

5. Physical description of the property including location of its boundaries to the north, south, east, and west. State the street frontage, depth, and overall size in square feet/acreage: _____

DESCRIPTION OF PROPERTY (continued)

- 6. Zoning Information:
 - a. Zoning Sheet(s): _____
 - b. Current Zoning Classification(s), acreage of each zoning classification and present use of the property: _____

 - c. Proposed Zoning Classification(s) and acreage of each proposed zoning classification, where applicable: _____

 - d. Overlay District Classification(s) where applicable:

 - e. Adjacent Property zoning and uses:

DIRECTION	ADJACENT ZONING DESIGNATIONS/USES
North	
South	
East	
West	

- 7. Land Use designation of the property as contained in the City's Comprehensive Plan: _____
- 8. Standard Industrial Classification (SIC) code for this proposed use (see Office of Zoning Administration): _____
- 8. Planning Area: _____
- 9. Census Tract: _____
- 10. Statistical Area: _____
- 12. On a separate sheet of 8 1/2" by 11" paper, provide a listing of proposed developments that have been submitted to the city for either building permits, zoning reviews, subdivision or land development on all properties within a three-quarter (3/4) mile radius of the subject property on which the proposed facility is to be located.

DESCRIPTION OF PROPERTY (continued)

13. Is the property subject to proffers approved with a conditional rezoning application?
 No Yes If yes, Application # _____
1. List any previous applications for this site: _____

2. Are any features of the development proposed to be held in common ownership by persons residing in or owning lots in the development and are not to be dedicated to and accepted by the City or other public entity?
 No Yes If yes, see instructions for further requirements.
3. Is the property located within the Chesapeake Bay Preservation Area Overlay District as determined by the Department of Planning?
 No Yes If yes, provide delineations for the RPA, RMA and IDA, as applicable that meet the requirements of Section 26, Article X, of the Chesapeake City Code.

DESCRIPTION OF PROPOSED USE

The applicant is required to provide the requested information on 8½" x 11" paper, which are numbered in accordance with the questions below. All questions must be completed.

1. Describe the general design specifications for the facility.
2. Describe the proposed hours of operation.
3. Describe the type(s) and origination of the solid waste materials to be accepted at the facility.
4. Describe, in detail, the methods by which the solid waste will be transported, separated, treated, processed, stored or disposed. Such description shall include a list of all equipment to be used in the solid waste management operation. Indicate the types of liners (single or double) or other barriers required under state regulations to prevent movement of wastes through soils.
5. Describe the proposed method of protecting solid waste from exposure to wind, rain, or biological influences.
6. Describe the climate, precipitation, and predominant wind direction.
7. Describe how the proposed solid waste management facility will be designed, arranged and operated in order to ensure that development and use of neighboring property will not be prevented or made less likely, and that the value, use and reasonable enjoyment of such property will not be impaired or adversely affected. Include a description of the on-site techniques proposed to protect against odor, dust, litter, noise, smoke, gas, surface water pollution, and animal and insect vectors.
8. Describe any potentially adverse effects that may be associated with the proposed solid waste management facility, and the means proposed by the applicant to avoid, minimize or mitigate such effects related to the following:
 - a. The estimated noise levels during operation, and whether they exceed the maximum sound levels that are typical of uses permitted as a matter of right in the district.
 - b. The anticipated glare from vehicular and stationary lights, and the extent to which such lights will be visible from any residential district.
 - c. The vulnerability of the proposed solid waste management to fire and related safety hazards.
 - d. The interference by the solid waste management activities with any easements, roadways, rail lines, utilities and public or private rights of way.
 - e. The possible destruction, loss or damage of a natural, scenic or historic feature of significant importance.
 - f. The adequacy of proposed landscaping and buffering measures to screen the site from neighboring properties zoned for or containing less intensive uses.
9. Describe the safety and maintenance measures to be taken to prevent harm to public health or to the environment, along with the description of means to monitor complaints.

DESCRIPTION OF PROPOSED USE (continued)

10. Describe any and all special conditions for the use, construction, layout, landscaping and screening, or appearance of the site proposed to be made conditions of the use permit, if granted, for purposes of assuring its compatibility with the surrounding neighborhood.
11. Describe whether the proposed solid waste management facility will be consistent with the adopted policies in the Comprehensive Plan of the City.
12. Provide the estimated number of cubic yards or thousands of gallons of waste to be accepted per day.
13. Provide the average number and types of vehicles entering the site per day and a listing of hauling routes within the City of Chesapeake from the site to the first four lane primary roads.
14. If the proposed solid waste management facility generates more than 100 VPD or generates more than 1% of the existing traffic on the adjacent roadway, identify the roads or streets abutting or intersecting the subject property, including an existing master road facility up to the next master road facility, including any information needed to support assumptions and conclusions).
 - a. The existing width and configuration of such roads and public rights-of-way. If the rights-of-way width varies, state the minimum and maximum.
 - b. The vehicle carrying capacity of such roads (Highway Capacity Software from the Transportation Research Board is an acceptable means of determining capacity).
 - c. The current traffic count of such roads. If the current traffic count is not available, a field count must be made. These must be 24-hour counts for a minimum of three (3) consecutive weekdays. Attach a copy of the traffic count calculations based on the Institute of Traffic Engineers (I.T.E.) trip generation rates.
 - d. The level of service of each roadway and intersection(s) impacted by this development. Level of service of same intersection(s) after this development, with (1) present background traffic, and (2) background traffic five years hence under the existing growth rate.
15. Describe how traffic ingress and egress would be provided between the subject property and the existing abutting and intersecting roads. State whether traffic devices, such as signals and special turn lanes, would be required to provide safe ingress and egress, and provide justifications for such conclusions.
16. Describe the impact of solid waste management facility will have on groundwater and surface water.
17. List potential drainage impact issues arising from the development. Submit a conceptual drainage assessment, for Development and Permits review, to address how you will ensure that this development will not create detrimental drainage impacts on the proposed site, surrounding upstream and downstream properties.
18. List all necessary state, local and federal permits and approvals and certification that application will be made for all such permits and approvals.

DESCRIPTION OF PROPOSED USE (continued)

19. Provide a description of proposed use and ownership of site after completion of all closure and restoration activities.

SITE PLAN & MAP REQUIREMENTS

NOTE: All site plans shall be folded to 8 1/2" x 14" size with the site plan folded to the outside and shall include a general location map. If revisions are submitted, the assigned application number shall be included in the title block.

1. Provide thirty (30) copies of a preliminary site plan at a scale not less than 1" = 50' meeting the requirements of Section 18-201 of the Chesapeake Zoning Ordinance (see attached sheet) **and** including the following:
- Location and zoning of the proposed site, upon which the solid waste management facility is to be located.
 - Proposed location of all buildings, structures and equipment to be used in conjunction with the operation of the solid waste management facility.
 - Location of any proposed screening devices, such as berms or landscaping.
 - The estimated number of cubic yards or thousands of gallons of waste to be accepted per day.
 - The maximum extent of area to be disturbed including acreage.
 - Interior road patterns, including a description of points of ingress and egress to state and city roads.
 - The land use pattern, including all existing zoning districts, building locations and historic sites within a three-quarter (3/4) mile radius of the perimeters of the site upon which the solid waste management facility is located.
 - The width of streets and weight limits of bridges within a three-quarter (3/4) mile radius of the perimeters of the site upon which the solid waste management facility is located.
 - Surface drainage patterns.
 - Location and depth of wells, constructed drainways, natural waterways and streams within a three-quarter (3/4) mile radius of the perimeters of the site upon which the solid waste management facility is located.
 - General description of the dominant species of vegetation existing within a three-quarter (3/4) mile radius of the perimeters of the site upon which the solid waste management facility is located.

SITE PLAN & MAP REQUIREMENTS (continued)

2. Provide four (4) copies of the preliminary site plan reduced to a paper size not larger than 11" x 17".
3. Provide two (2) copies of a topographical map showing a three-quarter mile radius of the perimeters of the site upon which the solid waste management facility will be located. The site for the facility shall be shown at a scale of 200 feet to the inch or better, with a two (2) foot contour or less. Areas outside the site shall, at a minimum, conform to the standards employed by the United States Geological Survey in plotting topographical quadrangles.
4. Provide a hydrology study which identifies groundwater movements, aquifers, and the location and depth of wells within a two-thousand (2000) foot radius of the perimeters of the site upon which the solid waste management facility will be located. The study shall also identify all constructed drainage ways, natural waterways and streams, which receive discharge from the proposed solid waste management facility. The study shall contain findings on the impact the proposed operation will have on groundwater, surface water and wells. (NOTE: The hydrology study shall not be required for transfer stations or resource recovery systems where all operations are conducted within an enclosed structure having concrete flooring and there will be no permanent storage or final disposal of wastes upon the site.)
5. Provide detailed soil and geology data, including soil borings on a 500-foot grid for the proposed solid waste management operation. (NOTE: This data need not be required for transfer stations or resource recovery systems where all operations are conducted within an enclosed structure having concrete flooring and there will be no permanent storage or final disposal of wastes upon the site.)
6. Provide a closure and restoration plan to show and include the following:
 - a. A description of the types and estimated quantities of solid waste to be permanently stored on the site, and the manner by which such wastes will be contained to prevent movement of wastes through the soil and pollution of surface and groundwater, soil and air.
 - b. A description of the means by which the site will be closed and rehabilitated after the solid waste management facility is no longer in operation, including a description of all grading, backfilling, sodding, planting, and other activities which will be conducted to restore the condition of the site to practical usefulness and reasonable physical attractiveness.

SPECIAL POWER OF ATTORNEY

Application No: _____

Property Description (13-digit Tax Map Number, Street Address or Common Description, Borough):

Nature of Solid Waste Management Facility Use Permit sought: _____

I/we _____, am/are

the applicant for the above referenced application the owner of the property described above and I/we do hereby make, constitute, and appoint _____

_____, my true and lawful attorney-in-fact, and grant unto my attorney-in-fact full power and authority to make application for the use permit application described above, and to perform all acts and make all representations as such person shall deem necessary or appropriate in regard to said application, without any limitation whatsoever, including but not limited to the following authority: to offer conditions to which the proposed use of the property would be subject; and to modify or amend any documents in whole or in part relating to the application.

The rights, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the _____ day of _____, 20____, and shall remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested is received by the Planning Department of the City of Chesapeake stating that the terms of this power have been revoked or modified.

Applicant/Owner:

Applicant/Owner:

sign _____

sign _____

Name, Title _____

Name, Title _____

Company _____

Company _____

Commonwealth/State of _____

City of _____

Subscribed and sworn to before me this _____ day of _____, 20____,

with the signatures of _____

NOTARY PUBLIC

Notary Registration No. _____

My commission expires: _____

* If the owner or applicant is a corporation, partnership, limited liability company or similar entity, documentation must be attached which establishes that the person signing on behalf of the entity has the authority to act on behalf of and to bind that entity.

STATEMENT OF OWNERSHIP

Application No: _____

The owner(s) and applicant(s) listed on the attached Solid Waste Management Facility Conditional Use Permit Application, does/do hereby affirm that the listing attached to, and hereby made a part of this statement of ownership, identifies the names and last known addresses of all of the following persons and entities in regard to the property that is the subject of the Application:

1. All applicants, title owners, contract purchasers, and lessees of the property; and, if any of the foregoing is a trustee, each beneficiary having an interest in the property.
2. Where any of those listed in (1) above is a corporation, all shareholders owning ten per cent (10%) or more of any class of stock issued by said corporation.
3. Where any of those listed in (1) above is a corporation having ten (10) or fewer shareholders, all such shareholders.
4. Where any of those listed in (1) above is a partnership, all such partners, both general and limited.

Attach the listing of names and addresses on business letterhead of either the applicant, owner or agent, as required above.

Applicant/Owner:

Applicant/Owner:

sign _____

sign _____

Name, Title _____

Name, Title _____

Company _____

Company _____

Commonwealth/State of _____

City of _____

Subscribed and sworn to before me this _____ day of _____, 20____,

by _____

NOTARY PUBLIC

Notary Registration No. _____

My commission expires: _____

**INDEMNIFICATION AGREEMENT FOR SOLID WASTE
MANAGEMENT FACILITIES**

THIS AGREEMENT, dated this _____ day of _____, 20 ____, by and between _____ ("Applicant") and the CITY OF CHESAPEAKE, VIRGINIA, a municipal corporation of the Commonwealth of Virginia (the "City").

WHEREAS, the Applicant desires to operate a solid waste management facility (the "Facility") located on the property known as _____, Chesapeake, Virginia which Property is more particularly described on Chesapeake Tax Maps as Parcel Number(s):

(the "Property"); and

WHEREAS, pursuant to Section 62-89(4) of the City Code, the Applicant must enter into this Agreement with the City as part of its application for a conditional use permit for the Facility.

NOW, THEREFORE, WITNESSETH, for and in consideration of Ten and No/100 Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the parties hereto agree as follows:

1. If granted a conditional use permit for the Facility, the Applicant agrees to design, construct, maintain, operate and close the Facility and restore and rehabilitate the Property in accordance with the Chesapeake City Code and all applicable federal and state laws and regulations. The Applicant also agrees to design, construct, maintain, operate and close the Facility and restore and rehabilitate the Property in accordance with all requirements set forth in any conditional use permit or amendment thereto, which may be issued by City Council for the Facility, including all plans, plats, specifications and statements of intent made a part of, or related to, said conditional use permit.

2. If granted a conditional use permit for the Facility the Applicant shall defend, indemnify and hold the City harmless from and against all claims, demands, charges, actions, proceedings, suits, damages, penalties, fines, expenses and fees that the City, the Applicant or any third-party may suffer as a result of the Applicant's negligent design,

**INDEMNIFICATION AGREEMENT FOR SOLID WASTE
MANAGEMENT FACILITIES (continued)**

construction, maintenance, operation or closure of the Facility, or the Applicant's failure to comply with the terms and conditions of the Chesapeake City Code, the conditional use permit, including all plans, plats, specifications and statements of intent made a part of, or related to, said conditional use permit, and any federal or state law or regulation.

3. This Agreement shall be binding upon the heirs, successors, and assigns of each party hereto.

Applicant/Owner:

Applicant/Owner:

sign _____

sign _____

Name, Title _____

Name, Title _____

Company _____

Company _____

Commonwealth/State of _____

City of _____

Subscribed and sworn to before me this _____ day of _____, 20____,

with the signatures of _____

NOTARY PUBLIC

Notary Registration No. _____

My commission expires: _____

CITY:

THE CITY OF CHESAPEAKE, a municipal corporation of the Commonwealth of Virginia

By: _____

Printed Name: _____

Title: _____

Commonwealth/State of _____

City of _____

Subscribed and sworn to before me this _____ day of _____, 20____,

with the signatures of _____

NOTARY PUBLIC

Notary Registration No. _____

My commission expires: _____

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

Tax Map #:	_____	Tax Map #:	_____
Name:	_____	Name:	_____
Street:	_____	Street:	_____
City:	_____	City:	_____
State/Zip:	_____	State/Zip:	_____

Tax Map #:	_____	Tax Map #:	_____
Name:	_____	Name:	_____
Street:	_____	Street:	_____
City:	_____	City:	_____
State/Zip:	_____	State/Zip:	_____

Tax Map #:	_____	Tax Map #:	_____
Name:	_____	Name:	_____
Street:	_____	Street:	_____
City:	_____	City:	_____
State/Zip:	_____	State/Zip:	_____

Tax Map #:	_____	Tax Map #:	_____
Name:	_____	Name:	_____
Street:	_____	Street:	_____
City:	_____	City:	_____
State/Zip:	_____	State/Zip:	_____

Tax Map #:	_____	Tax Map #:	_____
Name:	_____	Name:	_____
Street:	_____	Street:	_____
City:	_____	City:	_____
State/Zip:	_____	State/Zip:	_____

Tax Map #:	_____	Tax Map #:	_____
Name:	_____	Name:	_____
Street:	_____	Street:	_____
City:	_____	City:	_____
State/Zip:	_____	State/Zip:	_____

SOLID WASTE USE PERMIT APPLICATION CHECKLIST

The following items are required as part of the filing for a Solid Waste Management Facility Conditional Use Permit Application:

- The **filing fee** for a Solid Waste Management Facility Conditional Use Permit Application is **\$420.00**. Please make the check payable to: CITY OF CHESAPEAKE.
- The original Solid Waste Management Facility Conditional Use Permit Application, with original signatures, including all required development information. All information must be typed or clearly printed on the application and 8½" x 11" paper as needed. *Please consolidate each of the following into an application:*
 - Three (3) copies of the completed Solid Waste Management Facility Conditional Use Permit Application. *Please copy only the application and this checklist.*
 - Original and three (3) copies of the notarized standard **Indemnification Agreement for Solid Waste Management Facilities**.
 - Original and three (3) copies of the notarized **Special Power of Attorney**, if applicable.
 - Original and three (3) copies of the notarized **Affidavit**, if applicable.
 - Four (4) copies of a zoning map reduced to 8½" x 11" paper.
 - Four (4) copies of the preliminary site plan reduced to 8½" x 11" paper.
 - Four (4) copies of a landscape plan reduced to 8½" x 11" paper.
 - Four (4) copies of the adjacent property owner's list of addresses on the form provided with this application or Avery 5260 label format.
- Thirty (30) copies of a preliminary site plan at a scale not less than 1" = 50' meeting the requirements of Section 18-201 of the Chesapeake Zoning Ordinance. **All site plans shall be folded to a size no larger than 9" x 14" size and shall include a vicinity map.** *Please fold with the site plan facing out.*
- Four (4) copies of the preliminary site plan reduced to 11" x 17" paper.
- Four (4) copies of a landscape plan reduced to 11" x 17" paper.
- Two (2) copies of a topographical map of the area within three-quarters (3/4) mile radius of the perimeter of the site.
- Detailed soil and geology data.
- Hydrology study.
- Drainage Impact Assessment.
- Closure and restoration plan.

SOLID WASTE USE PERMIT APPLICATION CHECKLIST (continued)

- Stamped #10 (4 1/8" x 9 1/2") envelopes with the name and mailing address of each adjacent property owner printed legibly. **(Please do not use pre-stamped, dated envelopes from a postage machine or envelopes which include a return address.)**
- SIGN FEE.** The applicant is responsible for proper posting of sign(s) on the property. The sign fee is \$25.00 for the first sign, \$20.00 for each additional sign, as required. You will be phoned and advised of when the sign(s) must be posted. Applicants are encouraged to take pictures of the signs after posting and provide them to the Planning Department as proof that the signs were properly posted.
- ADVERTISING COST.** In addition to the filing fee, the applicant is responsible for all newspaper advertising costs for public hearing notifications. **The applicant or agent will be billed separately for these costs.** The average advertising cost is \$100 for the Planning Commission Public Hearing and the average is between \$400 to \$1,000 for the City Council meeting. The project will require a minimum of four (4) advertisements. Any additional advertising costs incurred due to continuances will also be the responsibility of the applicant. Planning Commission advertisement fees will be billed by the City of Chesapeake. City Council advertisement fees will be billed by the Virginia Pilot.
- This completed Solid Waste Use Permit Application checklist.