



CHARTER AMENDMENT

Protecting the Blue Line

Background:

In 1979, the City of Virginia Beach established a growth boundary, known as the Green Line, to both safeguard rural and agricultural property and limit local spending. The Green Line was adopted, but not formally named, in 1979 to distinguish zoning districts, with residential zones north and agricultural ones south. The 1985 Comprehensive Plan formalized the Green Line and has remained in the same location. The City continues to recognize the role of the Green Line in limiting development south into the City's rural areas and limits costs of expanding infrastructure and services.

In 2004, the City's Public Utilities Department introduced the Blue Line as an urban services boundary, which established a hard stop for further southernly expansion of City water and sewer services. While the Green Line has historically been the primary growth management tool in the city's Comprehensive Plan, the Blue Line serves as an important additional tool.

Recognizing the Blue Line will help ensure a predictable gradient between the City's urbanized areas and its protected natural, rural, and agricultural areas.

Request:

The City of Virginia Beach requests that the General Assembly amend the City of Virginia Beach Charter to require an affirmative supermajority vote of three-fourths of all members of City Council to rezone property south of the Blue Line to a higher density or a more intense zoning district.

Language:

Amend City Charter to add Section 2.03. Procedure for Land Use Approvals South of the Blue Line

- (a) As used in this section, the "blue line" shall be a line running along North Landing Road to Indian River Road, then extends eastward to New Bridge Road, then proceeding north until it intersects with Sandbridge Road, then proceeding eastward tracing the eastern and southern boundaries of the Sandbridge Special Service District until such boundary reaches the Atlantic Ocean.
- (b) No application to rezone property to a higher density or a more intense zoning district south of the blue line shall be approved except by a recorded affirmative vote of three-fourths of all of the members elected to the City Council.
- (c) No extension of public water and sanitary sewer ("public system") shall extend south of the blue line absent a public hearing conducted pursuant to Virginia Code 15.2-1427 and a finding by the City Council that:
 - i. There is adequate capacity in the public system at the point of connection to accommodate the additional flow;
 - ii. In the written opinion of the Virginia Department of Health, the existing on-site utilities are failing, or likely to fail, and there are no reasonably practical and feasible alternatives that would be acceptable to the Virginia Department of Health;

EXHIBIT A, REVISION 2

- iii. The principal use of the property served by the existing on-site utilities is not changed; and
- iv. The extension is to serve (a) an existing development, (b) the reconstruction or expansion of an existing commercial development consistent with its zoning resulting in a total floor area no greater than double that of the development prior to the expansion or (c) the reconstruction or expansion of an existing residence by no more than 10% of existing floor area or residential development where no additional dwelling units are constructed.