



Planning Department  
801 Crawford Street, Portsmouth, Virginia 23704  
757-393-8836

# Use Permit Application Form

[www.portsmouthva.gov/181/Planning-Department](http://www.portsmouthva.gov/181/Planning-Department)

## Notes:

1. A Pre-Application Conference with Planning Staff is **strongly recommended** prior to submission of a Use Permit application.
2. A Use Permit may be granted by City Council for uses that may be appropriate in a zoning district but, because of their nature, extent, and external effects, require special consideration of their location, design, and methods of operation before they can be deemed appropriate in the district in accordance with procedures and standards outlined in [Section 40.2-533](#) of the City's Zoning Ordinance.
3. Applicants are encouraged to consult the City's Zoning Ordinance prior to submitting their application. [Chapter 40.2 Article III](#) contains site design requirements (such as parking, landscaping, open space, etc.).
4. Applicants are encouraged to speak with adjoining property owners and/or nearby civic leagues concerning their proposed project. A list of civic league contacts can be found on the [City's website](#).
5. The Use Permit application process typically takes at least 3 - 4 months.
6. Applications are due at 5:00 PM on the date listed in the [Planning Commission meeting schedule](#), which can be found on the Planning Department website.
7. Unless otherwise authorized by the City Treasurer, no application shall be processed unless the applicant produces satisfactory evidence that any delinquent or outstanding real estate taxes, nuisance charges, stormwater management utility fees, or other charges that constitute a lien on the subject property have been paid.
8. No application shall be considered on property where there is a known outstanding violation of the Zoning Ordinance, unless the application approval would remedy the violation.
9. A staff coordinator will be assigned to your application and ensure the application is complete. Applications will not be advertised and will not be included on the Planning Commission agenda if they are incomplete. Completed applications will be routed to pertinent City departments for comment. Meeting notices will be mailed to adjacent property owners to allow public comment. Staff will write a staff report that includes a recommendation and recommended conditions for the application.
10. Use Permit applications are first heard at a Planning Commission Public Hearing. Planning Commission meets the first Tuesday of each month at 1:30 PM in accordance with the Planning Commission meeting schedule. Planning Commission will make a recommendation to City Council whether to approve or deny the application.
11. Applications will then be heard at one or two City Council public hearings, typically the following month. [City Council meetings](#) are held the second and fourth Tuesdays of each month.
12. On their own initiative or at the request of the applicant, Planning Commission and City Council may also defer consideration of an application to a future meeting.
13. In approving a Use Permit, the City Council may impose any conditions regarding the location, character, and other features of the proposed Use Permit as may be deemed necessary in City Council's legislative discretion to ensure compliance with the general intent and purposes of the Zoning Ordinance and to prevent or minimize adverse effects from the use.
14. Applicants are advised to be prepared to provide a brief presentation of the application and answer questions at the Planning Commission and City Council public hearings.
15. The final decision will be made by City Council, which approves, approves with conditions, or denies Use Permit applications at their legislative discretion.
16. If City Council approves an application on first reading, then no additional reading shall be required and the application shall be deemed finally approved. If City Council denies an application on first reading, then at the discretion of City Council there may be a second reading of the application at a subsequent meeting of the City Council. If the application is approved on a second reading, then the application shall be deemed finally approved. If the application is denied on a second reading, or if City Council declines to hold a second reading, then the application shall be deemed finally denied.
17. Except as provided for by City Council in the approval of a Use Permit, a Use Permit shall automatically expire and become void two (2) years from the date of approval by City Council if the use is inactive or changed to a different use, unless within such two-year period: (a) A building permit is obtained **and** erection or alteration of a structure is started; **or** (b) A Certificate of Occupancy is obtained and a use commenced.
18. Use Permit approval may be revoked by City Council following a public hearing for failure to comply with the terms and conditions of the Use Permit.
19. The Use Permit Application Fee is \$660 or fee as established in City Code [Appendix A](#) Portsmouth Fee Schedule.
20. Fees are typically non-refundable once the application has been advertised.
21. Submit applications by email to [chopj@portsmouthva.gov](mailto:chopj@portsmouthva.gov) and [mervinea@portsmouthva.gov](mailto:mervinea@portsmouthva.gov) or to City of Portsmouth, Planning Department 4th Floor, 801 Crawford Street, Portsmouth, VA 23704

### 1. General Project Information

Submission Date:			
Project/Development Name:			
Project Address:		Tax Parcel Identification Number:	
Lot Area (in square feet):		Zoning District:	
Proposed Use: (Provide a brief description of the use.)			

### 2. Detailed Written Narrative of Proposal

*Provide narrative on separate sheet(s).*

Provide a written project narrative including but not limited to the items listed in Section B. DETAILED PROJECT NARRATIVE of the **Submittal Requirements** below.

### 3. Applicant Information

Applicant Name:			
Mailing Address:			
Phone Number(s):			
Email Address:			

### 4. Property Owner Information *(if different from applicant)*

*The property owner must sign the property owner consent box.*

Property Owner Contact Name:			
Mailing Address:			
Phone Number(s):			
Email Address:			

By signing this application below, I, as the owner of the property under review, give my endorsement of this application.

<b>Property Owner or Authorized Signature:</b>		<b>Date Signed:</b>	
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### 5. Applicant Certification

By signing this application below, I hereby attest to the truth and accuracy of all facts and information presented with this application.

<b>Applicant Signature:</b>		<b>Date Signed:</b>	
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### Submittal Requirements

*Submit digital copies of all required documents. Hard copies of some documents may be required.*

#### A. GENERAL INFORMATION

	Pre-Application Conference completed (optional)
	Use Permit Application (signed and completely filled out with all required information included)
	\$660 Use Permit Application Fee or fee as established in City Code Appendix A Portsmouth Fee Schedule
	Copy of an approved Certificate of Appropriateness (COA) if located within Downtown Design (DD) Overlay District or within a historic district
	Any additional information determined to be required by the Planning Department

<b>B. DETAILED PROJECT NARRATIVE (To be submitted a separate sheet)</b>	
	Written project narrative including existing uses, proposed uses, site operations, and all activities. Include pertinent details of the proposed Use Permit request including but not limited to proposed site improvements, buildings, and activities, proposed number of dwelling units, proposed density, number of employees, hours of operation, and any other applicable details
	Zoning district(s) and existing use(s) of adjacent parcels including across any streets (if applicable)
	Proposed or existing development name
	Project address and parcel number(s)
<b>C. BUILDING AND OTHER PROJECT DETAILS (To be submitted a separate sheet)</b>	
	Elevation for each building facade (if applicable)
	Description of the type of material(s) used on each façade elevation (if applicable)
	Proposed building height(s) in feet and stories (if applicable)
	Show compliance with use-specific standards for proposed use (if applicable); See <a href="#">City Code Sec. 40.2-217</a> for details
	If the application is related to the building, a detailed floor plan of the building(s) indicating use of each space and ingress/egress
	Traffic Impact Analysis (TIA) (100 trips during a peak hour or 1,000 trips per 24-hour period) (if applicable); See <a href="#">City Code Sec. 40.2-545</a> for details
<b>D. CONCEPTUAL SITE PLAN DRAWN TO SCALE (To be submitted a separate sheet)</b>	
A conceptual plan of the proposed site layout that includes the following:	
	Date prepared
	Proposed land use(s) on the site
	Existing land use(s) on the site (if applicable)
	Planned road network (including street names) within 500' of site (if different from existing streets) (if applicable)
	Current flood zones on the property (if applicable)
	Chesapeake Bay Resource Protection Area Delineations (if applicable)
	Wetland Areas (if applicable)
	All easements with dimensions and designation as to type (if applicable)
	Location and description of all existing man-made structures and site features (including utilities, monuments, etc.) both above and below ground (if applicable)
	Location of existing curb cuts, private and public streets, pedestrian walkways, and lighting facilities (if applicable)
	Location of vehicular site access and off-street parking areas including number of spaces (if applicable); See <a href="#">City Code Sec. 40.2-301</a> for details
	Screening devices and techniques for all ground-based and roof-mounted utility equipment (if applicable); See <a href="#">City Code Sec. 40.2-304(F)</a> for details
	Location of all trash collection areas, including dumpster pads and screening features (if applicable); See <a href="#">City Code Sec. 40.2-304(F)</a> for details
	Approximate location of any required landscaping and screening (if applicable); See <a href="#">City Code Sec. 40.2-304</a> for details
	Approximate location of any proposed fences or walls (if applicable); See <a href="#">City Code Sec. 40.2-305</a> for details
	Approximate location of any proposed site lighting (if applicable); See <a href="#">City Code Sec. 40.2-306</a> for details
	Approximate location and type of proposed signage (if applicable); See <a href="#">City Code Sec. 40.2-307</a> for details