



COMMONWEALTH OF VIRGINIA
COUNTY OF CUMBERLAND

Internal Use Only	
REZ # _____	STAFF _____
RECEIVED _____	
COMPLETED _____	
FEE/Ck. # _____	
RECEIPT # _____	

Application for Change in Zoning

(A.K.A. Rezoning/Zoning Map Amendment)

Last revised 7/13/09

Form must be completed in ink, Pencil will not be accepted.

IMPORTANT NOTE: FOR CERTAIN LARGE-SCALE DEVELOPMENTS, STATE LAW NOW REQUIRES A TRAFFIC IMPACT ANALYSIS (T.I.A.) be completed and submitted with a rezoning application **before** the County can deem the application complete.

***Please see the attached T.I.A. info sheet and checklist to determine if such a study shall be required as part of the application. Please contact the zoning administrator for any questions.*

Project/Development Name (how should we refer to this application?):

Proposal: **REZONE** _____ +/- **ACRES TO** _____ **ZONING**

Comprehensive Plan Area: _____

Address/ Location: _____

Current Zoning: _____

Tax Map Parcel(s): _____

Election District: _____

Are you submitting proffers with this application? If so, attach proffer(s). **YES** **NO**

Is this an amendment to existing proffers or zoning conditions? If so, provide copy of items to be amended. **YES** **NO**

Are you proffering a site/design plan with this application? If so, attach plan(s). **YES** **NO**

Is a Traffic Impact Analysis (TIA) required for this request? If so, attach TIA. See TIA info sheet and checklist for more information. **YES** **NO**

Contact Person (who should we call/write concerning this project?): _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: (____) _____ Fax #: (____) _____ Email: _____

Owner of Record (who currently owns the property?): _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: (____) _____ Fax #: (____) _____ Email: _____

Applicant (who is the contact person representing?): _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: (____) _____ Fax #: (____) _____ Email: _____

Does the owner of this property own (or have any ownership interest) in any abutting property? If yes, please list those tax map parcel numbers. _____

Section 15.2-2284 of the Code of Virginia states that, "Zoning ordinances and districts shall be drawn and applied with reasonable consideration for the existing use and character of property, the comprehensive plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestal land, the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the locality."

The items that follow will be reviewed by the staff in their analysis of your request. Please complete this form and provide additional information which will assist the County in its review of you request. If you need assistance filling out these items, staff is available.

What is the Comprehensive Plan designation for this property? _____

What public need or benefit does this rezoning serve?

Describe your request in detail including why you are requesting this particular zoning district and it's compliance with the comprehensive plan: _____

If you would like to proffer any restrictions on the development of the property, please list these proffers on an attachment in a form acceptable to the County. Proffers are voluntary offers to use property in a more restrictive way than the overall zoning district classification would allow. By State Code, proffers must have a reasonable relationship to the rezoning and are not mandatory. The rezoning must give rise to the need for the proffers; the proffers must be related to the physical development or physical operation of the property; and the proffers must be in conformity with the Comprehensive Plan.

The County has developed cash proffer computations. **The maximum net residential cash proffer is currently \$5,242 per residential unit.** This amount should serve as an indicator to prospective rezoning applicants of the net cost per housing unit that the County will incur to provide the capital facilities serving the development subsequent to the rezoning. Contact staff for more information concerning the County's cash proffer policy.

Are there any liens against the property YES NO *(If Yes, please list them below:)*

Attachments Required – provide two (2) copies of each:

1. *Recorded plat or boundary survey of the property requested for the rezoning.* If there is no recorded plat or boundary survey, please provide legal description of the property and the Deed Book and page number or Plat Book and page number.

Note: If you are requesting a rezoning for a portion of the property, it needs to be described or delineation on a copy of the plat or surveyed drawing.

2. *Ownership information* – If ownership of the property is in the name of any type of legal entity or organization including, but not limited to, the name of a corporation, partnership or association, or in the name of a trust, or in a fictitious name, a document acceptable to the County must be submitted certifying that the person signing below has the authority to do so.

If the applicant is a contract purchaser or an agent of the owner, an owner/agent agreement must be attached (ask staff for form if needed).

Owner/ Applicant Must Read and Sign

I hereby certify that I own the subject property, or have the legal power to act on behalf of the owner in filing this application. I also certify that the information provided on this application and accompanying information is accurate, true, and correct to the best of my knowledge.

Print Name of Owner/ Applicant

Date

Signature of Owner/ Applicant

Daytime Phone # of Signatory

The below is to only be completed by County staff.

Rezoning Package Completeness Review: I have reviewed the rezoning package and find it to complete. If the scope of the rezoning request is such that a traffic impact analysis is required, such rezoning package shall include a completed TIA and applicable fee. A complete rezoning package will contain this completed application, proffers (if proposed), TIA (if required), plan of development, county application fee (\$550.00) and VDOT TIA fee (if TIA required).

By signing the below, County staff is stating the rezoning package is complete; it does not and should not imply any approval or denial of the request.

Signature of Zoning Administrator

Date

Traffic Impact Analysis Information Sheet:

How do I know if a T.I.A. is required to be submitted with my application?

If the proposed development will increase the number of vehicle trips during peak hours on roads maintained by VDOT by 250 trips for a commercial development or 100 trips for a residential development you likely will need to submit a T.I.A.

How do I know if my proposal will increase the traffic to the amount that would require a TIA?

Below is a listing of some general guidelines as provided by VDOT's T.I.A. administrative guidelines:

For a **residential** development, a TIA may be required if the development proposes:

- 100 or more single family dwelling units;
- 150 or more apartment units; or
- 190 or more condo/townhomes

For a **commercial** development, a TIA may be required if the development proposes a(n):

- light industrial building of 260,000sf or more;
- hotel containing 300 rooms or more;
- elementary school of 600 students or more or a high school of 550 students or more;
- hospital of 110 beds or more;
- general office building 150,000 sq. ft. or larger;
- business park 170,000 sq. ft. or larger;
- shopping center 20,000 sq. ft. or larger;
- home improvement store 60,000 sq. ft. or larger;
- drive thru bank containing 5 bays or more;
- fast food restaurant with a drive thru window of 4,000 sq. ft. or larger; or
- gas station with convenience store containing 16 hoses or more.

What are the fees associated with VDOT's T.I.A?

This fee is collected directly by VDOT and is separate and in addition to the County's application fee. Both are required before an application is deemed complete.

- \$250.00 for a low-volume road;
- \$500.00 for less than 100 vehicles per peak hour; or
- \$1,000.00 for more than 100 vehicles per peak hour.

What is the background and purpose for the TIA requirements and where can I find additional information?

Chapter 527 of the 2006 Acts of Assembly added § 15.2-2222.1 to the Code of Virginia. The amendment establishes procedures by which localities submit proposals that will affect the state-controlled transportation network to VDOT for review and comment. The chapter also directs VDOT to develop regulations to carry out the provisions of the statute.

The regulation VDOT prepared is titled, Traffic Impact Analysis Regulations (24 VAC 30-155), sets forth procedures and requirements governing VDOT's review of and submission of comments regarding comprehensive plans and amendments to comprehensive plans, rezoning proposals, and subdivision plats, site plans and plans of development and the accompanying traffic impact analyses. The regulation also identifies when those documents must be submitted, and the documents and information that must be submitted to VDOT to facilitate the required review and submission of comments. The regulation also establishes the scope and nature of the review and a schedule of fees to be paid upon submission of a proposal to VDOT for review.

The regulation includes standards for when traffic impact analyses must be submitted to VDOT for different types of development proposals as well as what must be contained in the analyses (Information provided by VDOT). VDOT has prepared the following website on the Chapter 527 requirements:

<http://www.virginiadot.org/projects/chapter527/default.asp>