

ORANGE COUNTY

DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347
FAX: (540) 672-0164
orangecountyva.gov

ZONING MAP AMENDMENT (REZONING) APPLICATION PACKET

Overview

A zoning map amendment (also referred to as a rezoning) is an action to change the particular zoning district in which a piece of property is located on the county's zoning maps. The purpose of this is usually to change the permitted uses for the property. As part of the public review process, the Planning Commission and Board of Supervisors will consider the impacts of the proposal on adjacent properties and the surrounding area or neighborhood, whether the proposal furthers the goals established in the Comprehensive Plan, whether the proposal is consistent with good planning and zoning practices, and the extent of any impacts on the public health, safety, convenience, and general welfare. If proffers are volunteered by the applicant, the extent to which the proffers mitigate any impacts and/or offset costs to county services is also weighed. Proffers are voluntary conditions offered by the applicant to address impacts and other issues otherwise introduced by rezoning a property to a more intensive or different use. Proffers offer more clarity and certainty for the Planning Commission and Board of Supervisors regarding what's being proposed (and potentially approved), thus simplifying their job in determining the acceptability or appropriateness of a rezoning application. A proffered rezoning is also referred to as conditional zoning.

Application Process:

- 1) The applicant will meet with Staff from the Department of Planning and Zoning to discuss the development proposal and application requirements (this is known as the pre-application meeting). This meeting helps ensure all questions regarding the application requirements are answered, and allows Staff to identify any major issues that may arise during the public review process. For nonresidential rezoning applications, this also provides a time for the applicant to discuss with Planning Staff what an appropriate or recommended proffer statement would entail.
- 2) The applicant will complete and submit the completed zoning map amendment application (along with all supporting materials and proffers, if applicable) to the Planning and Zoning office and pay the required fee (\$500 + \$50 per acre). Depending on the complexity of the application, Planning Staff may request via email a digital copy of the application materials to send to the Application Review Committee (ARC). Following conclusion of the ARC review period, Planning Staff will request final hard copies of all application materials, with any revisions to address ARC comments, if applicable.

Public Review Process:

- 1) Planning Staff will review the application for completeness. If items are missing from the application, Staff will notify the applicant in writing within ten (10) business days of submission. The applicant will then have up to ninety (90) calendar days to submit the additional required materials. Depending on the nature and complexity of the proposal, the

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Zoning Administrator may require submittal materials which are unique to the proposal. The county will make every attempt to identify these during the pre-application meeting.

- 2) Once the application is deemed to be complete, it will be forwarded to the ARC for their review and comments. The ARC is not a standing review committee per se, but rather a collection of county departments and external agencies whose services or purpose may be impacted by the application proposal. This review and comment period is typically conducted via email, but for more complex or impactful proposals an actual meeting may be held. Planning Staff will notify the applicant if this is the case. These meetings, if needed, are held on the third Tuesday of the month. The ARC review period may take up to forty-five (45) business days to conclude.
- 3) Planning Staff will forward the ARC's comments to the applicant and allow for the applicant to revise or clarify any aspect of the application based on the comments. Unaddressed comments from the ARC are typically viewed as unmitigated impacts of the rezoning proposal, so it strongly encouraged for applicants to address all ARC comments satisfactorily. Once the applicant has submitted any revisions and finalized the application, Planning Staff will conduct their review and produce a staff report for the application, as well as a recommendation for denial or approval.
- 4) A public hearing will be held before the Orange County Planning Commission regarding the application. This will be advertised in the local paper; neighboring property owners will also be notified. Planning Staff will present the staff report and recommendations, and the applicant will subsequently be given the opportunity to present their application. Any members of the public will then be allowed to express their comments on the proposal. Following this the Planning Commission will vote to either recommend approval or denial of the application to the Board of Supervisors, and if proffers have been volunteered, whether or not to accept the proffers. Attendance at this public hearing is not required for the applicant, but it is very strongly recommended.
- 5) Planning Staff will present the application, staff report, and Planning Commission recommendation to the Orange County Board of Supervisors for a second and final public hearing. The Board of Supervisors will either deny or approve the proposed zoning map amendment, and will either accept none, some, or all of the proffers, if any are volunteered. Attendance at this public hearing is not required for the applicant, but it is very strongly recommended.

If Approved:

If the zoning map amendment is approved by the Board of Supervisors, the applicant may then proceed with obtaining all necessary permits and site plan approvals any permitted use. The applicant will be billed for all mailing and advertising fees associated with the application, pursuant to the county's adopted fee schedule.

If Denied:

If the zoning map amendment is denied by the Board of Supervisors, no further applications for a zoning map amendment for the property will be accepted by the county within one (1) year from the date of denial. The applicant will be billed for all mailing and advertising fees associated with the application, pursuant to the county's adopted fee schedule.

Appeals:

Any person aggrieved by a Board decision to approve or deny a zoning map amendment may file an appeal in the Orange County Circuit Court within thirty (30) days of the date of the Board action.

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APPLICATION FOR ZONING MAP AMENDMENT

Applicant Name: _____ Phone: _____

Mailing Address: _____

Email Address: _____

Application must be made by the Landowner or with his/her permission. If the Applicant is not the Landowner, please complete and attach: (1) a completed Authorized Agent Affidavit, OR (2) a letter of permission from the landowner.

Landowner Name: _____ Phone: _____

Mailing Address: _____

Property Location: _____

Tax Parcel #(s): _____

Current Zoning: _____ Requested Zoning: _____ Proffers Volunteered? Yes No

Existing Uses/Structures: _____

Proposed Uses/Structures: _____

**** Attach a general concept plan no smaller than 11"x17" and a comprehensive narrative for the proposed use. See the checklist for complete submittal requirements. ****

**** Incomplete applications will not be processed. ****

For setback requirements and other zoning requirements, refer to the Orange County Zoning Ordinance (available online at <http://www.orangecode.us/index.php/ch-70-zoning>) or contact the Department of Planning & Zoning.

Signature of owner / agent: _____ Date: _____

NOTE: Refunds will not be issued once a rezoning application has proceeded to the ARC review period.

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AUTHORIZED AGENT AFFIDAVIT

This _____ day of _____, _____,
(day) (month) (year)

I, _____,
(owner)

owner of _____, give my
(address and/or tax map number)

permission to: _____, to make
(applicant / lessee)

an application to the Orange County Department of Planning & Zoning
for a zoning map amendment for the aforementioned property:

(signature of owner)

COMMONWEALTH OF VIRGINIA

County / City of _____

Subscribed and sworn to me this _____ day of _____, _____

in my County / City aforesaid, by the aforementioned Owner.

(Notary Public)

Notary
Seal

My commission expires: _____

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**ZONING MAP AMENDMENT
GENERAL CONCEPT PLAN / PROJECT NARRATIVE
INFORMATION & CHECKLIST**

General concept plan information & checklist

A general concept plan must accompany an application for zoning map amendment. A general concept plan may be shown via a current survey of the property, or depicted on the most-current plat/survey available for the property in the Orange County Circuit Court. These plans may be hand-drawn or prepared by a professional. However, it is strongly recommended for clarity of information and thoroughness of the county's review that the plan is professionally-prepared. The following elements must be shown on the concept plan unless they are not applicable to the project:

- Existing roads, driveways, utilities, and easements;
- Existing structures and/or uses and their distances to property lines;
- Proposed structures and/or uses and their orientation on the property;
- Proposed utilities;
- Proposed grading;
- General parking and landscaping areas;
- The location of wetlands, floodplains, streams, and other bodies of water;
- Any proposed subdivision of the property;
- Any proposed phasing of development;
- General signage types and locations; and
- Proposed roads and driveways.

Project narrative information & checklist

A written narrative describing the scope of the proposed use must accompany a zoning map amendment application. The written narrative must include, at a minimum, the following:

- A detailed project description and how it aligns with the goals and objectives of the Orange County Comprehensive Plan;
- Anticipated traffic volumes and related traffic impacts;
- A fiscal impact analysis including expected economic benefits and costs to the county;
- Impacts on the provision of public services;
- An environmental impact analysis;
- An analysis of impacts on historic and cultural resources; and
- Anticipated impacts to neighboring properties and how those impacts will be mitigated.

NOTE: If proffers are being volunteered, they must be in writing, signed, and dated.

NOTE: In order to adequately and completely review the proposal, the Zoning Administrator may request additional materials based on the nature and complexity of the proposed special use.