

COMPREHENSIVE PLAN AMENDMENT (Land Use)

APPLICATION



OCTOBER 2018

Stafford County Department of Planning & Zoning

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NOTICE

Stafford County treats all applications and applicants equally. The County does not discriminate against religion, or on the basis of race, sex, age, national origin, or disability, in its planning, permitting, utilities, and land use processes.

Under the laws of the United States and the Commonwealth of Virginia, no government may discriminate against any religion or on the basis of race, sex, age, national origin, or disability, in its planning, permitting, utilities, and land use processes.

Under the Religious Land Use and Institutionalized Persons Act (“RLUIPA”), no government may apply its zoning or land use laws, or its policies and procedures in a manner that unjustifiably imposes a substantial burden on the religious exercise of a person, assembly, or institution.

RLUIPA also provides that no government may apply its zoning or land use laws in a manner that treats a religious assembly or institution on unequal terms with a non-religious institution or assembly.

Finally, RLUIPA provides that no government may impose or implement a land use regulation in a manner that discriminates against a religious assembly or institution.

Stafford County does not discriminate in its planning, permitting, utilities, and land use processes, practices, and policies. Stafford County treats all applications and applicants equally.

Comprehensive Plan Amendment Application Instructions

The Board of Supervisors, Planning Commission, Comprehensive Plan Committee or an individual applicant (through this procedure) may request the staff to review/analyze any component of the County's Comprehensive Plan.

1. The applicant shall informally discuss the planning concepts of the proposed amendment with staff from the Utilities, Planning, County Attorney, and Zoning Department, as well as representatives from the School Board office. The staff shall discuss with the applicant any concerns with the project to allow the applicant to address the concerns.
2. Completely fill out, sign and date the application form sheet.
3. If the applicant is not the owner of the property, attach a notarized letter from the owner authorizing the applicant to apply for the Comprehensive Plan Amendment and act as his/her agent.
4. The applicant must provide the names and addresses of the adjacent property owners, including those across the road(s) from the property. The names and addresses can be obtained at the Commissioner of the Revenue's office. The County will use the list to notify the abutting property owners of the public hearing.
5. Impact statements are required for Comprehensive Plan amendment requests which address Environmental, Transportation, and Utility impacts.
6. A filing fee must be submitted with the application.
7. The Department of Planning and Zoning shall review all application submitted for a Comprehensive Plan amendment to determine if the application is complete (see Submission requirements). In cases where the application for Comprehensive Plan amendment is determined to be incomplete, the applicant shall be notified within thirty (30) days of submission of the application. Incomplete applications shall not be accepted and shall be returned to the applicant.
8. The Planning Commission hears the request for amendment to the Comprehensive Plan semiannually, generally in December and June. Complete applications must be officially received by the Planning Department at least sixty (60) days prior to the semi-annual hearing date, generally October or April.

Application Submittal Checklist

- Completed **“Project Information & Primary Contacts”** form (Page 4)
- Signed **“Statements of Understanding”** from the owner(s) and applicant (Page 5)
- Completed **“General Information”** sheet (Page 6)
- Completed **“Review Fee Calculation”** sheet and appropriate **Fees** payable to “County of Stafford” (Page 7)
- Completed **“List of Adjoining Property Owners”** (Pages 8 & 9)
- Completed **“Transportation Impact Analysis Determination Form”** (Page 10)
- Proposed Comprehensive Plan **Map Amendments**, if applicable (Fourteen (14) Copies)
- Proposed **Text Amendments** to all components of the Comprehensive Plan, if applicable
- Completed **Impact Statements** * See “Checklist for Impact Statements” (Pages 12-14)
 - Completed **Environmental Impact Assessment (EIA)** (Two (2) copies)
 - Completed **Transportation Impact Statement (TIS)** (Five (5) paper copies with electronic copies or ftp site)
 - Completed **Utilities Impact Assessment (UIS)** (Two (2) copies)
- Completed **VDOT Transportation Impact Analysis (TIA)**, if required (Five (5) paper copies with electronic copies or ftp site)

<p>RECEIVED</p> <p>DATE: _____ INITIALS _____</p>	<p>OFFICIALLY SUBMITTED</p> <p>DATE: _____ INITIALS _____</p>
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Optional Application Materials:

Although not required, the following additional materials are requested to be included with the initial application submission, if available, to assist in the review process.

1. Electronic Version of any plans, surveys, and illustrations (a pdf on a CD, DVD, sent via email, or through ftp site is acceptable)

Project Information & Primary Contacts

<u>PROJECT INFORMATION</u>	<u>PROJECT #</u> _____
_____	_____
PROJECT NAME	SECTION
_____	_____
ADDRESS (IF AVAILABLE)	TOTAL SITE ACREAGE
_____	_____
TAX MAP / PARCEL(S)	ZONING DISTRICT
_____	_____
LOCATION OF PROJECT	

<u>APPLICANT/AGENT</u> (Provide attachment if Applicant and Agent differ)	Primary Contact Person <input type="checkbox"/>		
_____	_____		
NAME	COMPANY		
_____	_____		
ADDRESS	CITY	STATE	ZIP
_____	_____	_____	_____
PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS	
_____	_____	_____	

<u>OWNER</u> (Provide attachments if multiple owners)	Primary Contact Person <input type="checkbox"/>		
_____	_____		
NAME	COMPANY		
_____	_____		
ADDRESS	CITY	STATE	ZIP
_____	_____	_____	_____
PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS	
_____	_____	_____	

<u>PROFESSIONAL</u> (Engineer, Surveyor, etc.)	Primary Contact Person <input type="checkbox"/>		
_____	_____		
NAME	COMPANY		
_____	_____		
ADDRESS	CITY	STATE	ZIP
_____	_____	_____	_____
PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS	
_____	_____	_____	

Statements of Understanding

CONTROL OF PROPERTY: The applicant must be the property owner or the duly appointed agent for at least seventy five (75) percent of the property in the applicant's proposed amendment.

I, as owner/co-owner of the property subject to this application, do hereby certify that I have read and understand the requirements for the submission of a Comprehensive Plan amendment for review and approval as provided under the requirements and applicable provisions of the Stafford County Comprehensive Plan.

Signature of Owner/Co Owner

Printed Name

Date

Signature of Owner/Co Owner

Printed Name

Date

Signature of Owner/Co Owner

Printed Name

Date

I, as applicant or agent for the owner(s) of the property subject to this application, do hereby certify that I have submitted this application for a Comprehensive Plan amendment for review and approval as provided under the requirements and applicable provisions of the Stafford County Comprehensive Plan.

Signature of Applicant/Agent

Printed Name

Date

* Additional sheets may be used, if necessary.

General Information

Clearly indicate all information that applies to this project:

NAME OF PROJECT: _____ SECTION: _____

IS THIS APPLICATION SUBMITTED WITH ANOTHER APPLICATION? YES NO

Application Name/Type/Number (if known): _____

DETAILED DESCRIPTION OF PROJECT:

COMPONENT(S) OF COMPREHENSIVE PLAN REQUESTED FOR AMENDMENT:

(for example: Land Use, Telecommunication, Transportation)

RATIONALE FOR THE REQUEST:

GENERAL INFORMATION:

of Acres: _____

Current Land Use Plan Designation(s): _____

Proposed Land Use Plan Designation(s), if applicable: _____

- Within the Urban Service Area (USA)
- Amendment expands the Urban Service Area (USA)

Existing Infrastructure/Public Facilities: _____

Proposed Infrastructure/Public Facilities: _____

CHECK WHICH REQUIRED STUDIES HAVE BEEN SUBMITTED:

- Environmental Impact Assessment (EIA)
- Transportation Impact Statement (TIS)
- Utilities Impact Assessment (UIA)

Review Fee Calculations

A. Application Fee: (enter the dollar amount that applies)	
< 100 Acres\$500.00	
≥ 100 Acres\$1,000.00	\$ _____
B. Technology Fee (Application Fee x 2.75% or 0.0275).....	\$ _____
TOTAL (Add lines A and B).....	\$ _____

MAKE CHECK PAYABLE TO "STAFFORD COUNTY"

Note: The application fees are for the administrative process and review of this application and do not constitute an approval.

List of Adjoining Property Owners

Provide a list of the owners as shown on the current real estate tax assessment books of all abutting properties and properties immediately across the street or road from the property subject to this application. If the application applies to only a portion of the parcel, the entire parcel must be the basis for the below listing.

Provide additional pages if needed.

_____	_____	
TAX MAP / PARCEL	NAME	

MAILING ADDRESS		

CITY	STATE	ZIP

_____	_____	
TAX MAP / PARCEL	NAME	

MAILING ADDRESS		

CITY	STATE	ZIP

_____	_____	
TAX MAP / PARCEL	NAME	

MAILING ADDRESS		

CITY	STATE	ZIP

_____	_____	
TAX MAP / PARCEL	NAME	

MAILING ADDRESS		

CITY	STATE	ZIP

_____	_____	
TAX MAP / PARCEL	NAME	

MAILING ADDRESS		

CITY	STATE	ZIP

_____	_____	
TAX MAP / PARCEL	NAME	

MAILING ADDRESS		

CITY	STATE	ZIP

_____	_____	
TAX MAP / PARCEL	NAME	

MAILING ADDRESS		

CITY	STATE	ZIP

**COMPREHENSIVE PLAN AMENDMENT
TRANSPORTATION IMPACT ANALYSIS
DETERMINATION FORM**

Name of development _____
Type of development _____
Parcel # _____

RECEIVED BUT NOT OFFICIALLY SUBMITTED DATE: _____ INITIALS _____ OFFICIALLY SUBMITTED DATE: _____ INITIALS _____

Traffic Volume Calculations

This site generates:

_____ VPH (insert the highest VPH)
_____ VPD on state controlled highways (insert highest volume).
_____ Peak AM (VPH)
_____ Peak PM (VPH)
_____ Peak Saturday (VPH)
_____ VPD highest intensity*

Attach a page showing the calculations and the ITE trip generation codes to this form.

Minimum Thresholds to submit a TIA

See “VDOT Traffic Impact Analysis Requirements” table on next page.

Trip Generation Calculation Guidelines

- Traffic volumes shall be based on the rates or equations published in the latest edition of the Institute of Transportation Engineers Trip Generation.
- If a site has multiple entrances to highways, volumes on all entrances shall be combined for the purposes of this determination.
- If the site does not have direct access to a state maintained road, the site’s connection is where the site connects to the state highway system.
- Traffic volumes shall NOT be reduced through internal capture rates, pass by rates, or any other reduction methods.
- For redevelopment sites only: when the existing use is to be developed at a higher intensity, trips currently generated by the existing development that will be removed may be deducted from the total trips that will be generated by the proposed land use.
- When rezoning, use the highest possible traffic generating use unless development is limited by proffer to less than the possible highest traffic generation.

*The highest intensity use is the highest possible use allowable under the zoning requirements for the entire property should it be developed to its fullest extent possible under the current building guidelines. The only exception is if proffers limit the area and type of uses.

VDOT Traffic Impact Analysis Requirements

Process		Threshold	Review Process*	Fee**
Comprehensive Plan and Plan Amendments (including small area plans)		5,000 VPD on state-controlled highways, or Major change to infrastructure / transportation facilities	Application submitted to VDOT for review and comment VDOT may request a meeting with the locality within 30 days Review to be completed in 90 days or later if mutually agreed	\$1000 covers first and second review. No fee if initiated by locality or public agency. No fee for citizens' organization or neighborhood association proposing plan amendments.
Rezoning	Residential Low Volume Road Submission	400 VPD AND exceeds the current traffic volume on a state controlled highway	VDOT or local TIA (certified by VDOT) and Application submitted to VDOT for review and comment VDOT may request a meeting with the locality & applicant within 45 days Review to be completed in 120 days if VDOT requests a meeting Otherwise review to be completed in 45 days	For first and second review: \$250 - Low Volume Rd \$1000 – All other submissions
	All Other Land Uses including residential	5,000 VPD on state controlled highways, or 5,000 VPD on locality maintained streets AND within 3000 feet of a state controlled highway	Review to be completed in 120 days if VDOT requests a meeting Otherwise review to be completed in 45 days NOTE: When a related comprehensive plan revision and rezoning proposal are being considered concurrently for the same geographical area, then only a rezoning TIA package is required.	No fee if initiated by locality or public agency No fee if using a VDOT TIA prepared for a small area plan

* For proposals generating less than 1000VPH the locality and/or applicant may request a Scope of Work Meeting with VDOT. For proposals generating 1000 VPH or more the locality and/or applicant shall hold a Scope of Work Meeting with VDOT.

** Third or subsequent submissions require additional fee as though they were an initial submission.

Checklist for Impact Statements

The following is a list of components that shall be addressed in any Comprehensive Plan Amendment application, and shall be considered as the minimum requirements for an application. Other factors may be included that are deemed appropriate by either the applicant or the staff.

Environmental Impact Assessment (EIA)

The following components shall be identified and analyzed in the EIA. Analysis shall include the proposed effects on all components identified in relation to land uses proposed. Solutions to any negative effects documented shall be provided.

- Topography (using five (5) foot contour intervals)
- Any "blueline" stream on the USGS 7.5 minute topographic quads
- Water bodies
- Steep slopes (greater than 25 percent)
- Moderate slopes (10 – 25 percent)
- Tidal wetlands
- Nontidal wetlands
- Lands within the 100 year floodplain
- Soil types
- Chesapeake Bay Areas
- Highly erodible soils
- Cemeteries
- Historic sites/structures and archeological sites
- Wildlife habitats of threatened or endangered species
- Forested lands

Transportation Impact Statement (TIS)

The following components shall be identified and analyzed in the TIS. The TIS shall be prepared by a person professionally qualified to do such work. The existing regional transportation network and the effect the proposed development shall have on this network shall be addressed.

- A brief description of the size and location of the project, general terrain features, roadways that provide access to the site, and other pertinent information.
- Study area map, including proposed use(s) of the site along with existing uses in the vicinity of the site.
- Existing conditions (baseline). Development of this baseline may require performance and submission of traffic counts for calibration.
- All assumptions which determine projected background traffic and rationale for all assumptions shall be provided, including:
 - Development project name
 - Commercial square footage
 - Residential dwelling units
 - Phasing of development, as it relates to traffic generation projections

- Average daily traffic (ADT), peak hour traffic volumes (AM and PM), evaluation of level of service (LOS) and volume/capacity ratio for all intersections and road segments within the study area under the following scenarios (including all support materials).
- If transportation improvements are proposed to be phased in over time, then an evaluation for each phase is to be provided.
- Build-out conditions of study area, including the proposed project:
 - On the existing transportation network.
 - With the proposed transportation network improvements necessary to offset any identified impacts. The proposed network improvements should be coordinated with the County's Transportation Plan network.
- Include traffic counts and LOS worksheets
- Identify traffic modeling program used
- Include maps depicting the preferred alternative, with the following:
 - Map depicting existing versus proposed conditions, drawn to scale
 - Map depicting existing versus proposed right-of-way
- Identify the extent at which improvements can be implemented by the applicant, while minimizing disruptions to adjoining properties.
- Identify the degree at which the proposed improvements conform to the Transportation Plan network.
- Document the directional distribution of trips generated by the development, internally and externally at major intersections. Include rationale for assumptions.
- Give consideration to the following limiting factors that will affect the capacity of the roadways, including, but not limited to, severe horizontal and vertical curvature, heavy truck traffic, poor lateral clearance, poor surface conditions, poor shoulder conditions, and signalization.
- Incorporation of other proffered or planned off-site improvements from approved rezonings, special use permits, or approved subdivision and site plans. Documentation as to the reasons for traffic generation being mitigated from these projects should be incorporated into the TIS.
- List any proposed improvements (including project phasing) which will mitigate any negative impacts generated by the proposed development.
- Document how these improvements will be in place prior to negative impacts being generated.

Utility Impact Assessment (UIA)

The following components shall be identified and analyzed UIA shall identify:

- All proposed utility requirements for the land uses proposed, including
 - water demand projections
 - sewage flow projections
- Address the impact of the proposed amendment on the County's
 - sewage collection system
 - water treatment facilities
 - wastewater treatment facilities.
- Document all necessary changes to the County's Master Water and Sewer Plan
- Provide funding alternatives necessary to implement the proposed utility infrastructure.