

# Hanover County

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Application and Procedures for

## REZONING

\*\*See Page 6 for Fee Submittal Procedure



County of Hanover Department of Planning  
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Revised August 2016

# Approval Process for Rezoning Applications

## Pre-application Meeting (optional)

- Meetings with the Planning Staff are recommended prior to submittal of a rezoning application. Please bring a plat to the meeting with a sketch of your proposal.

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## Application Submittal

- The application deadline is the first Monday of every month. If the first Monday falls on a holiday, the application deadline will be the following business day.
- When submitting an application be sure to include the following: a complete application, plat of the subject property that includes metes and bounds, and supplementary information to support the request (such as conceptual plans, building elevations, design manual for MX and BP requests etc.). If applicable, Section 527 traffic studies are due at this time. Please note: Incomplete applications will not be accepted and will be returned to the applicant.
- The applicant will be notified to submit the required fees, all application fees must be submitted by the Tuesday the week following the application deadline. (See Page 6)

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## Application Distribution to County Review Agencies

- Complete applications are routed to County and State review agencies within five (5) days of application deadline.

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## Agency Review Zoning Staff Meeting

- Complete applications are reviewed and discussed at the Zoning Staff meeting held on the 3<sup>rd</sup> Wednesday of the month of submittal.
- Written comments will be provided to the applicant.

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## Staff/Applicant Meeting

- The staff may contact the applicant to schedule a meeting to discuss comments provided by reviewing agencies, to request additional information or plan revisions, and to negotiate proffers.
- At this time, it may also be recommended that the applicant schedule a community meeting. A community meeting guide is attached (see page 14 & 15).

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## Planning Commission

- Revised conceptual plans and draft proffers must be submitted 21 days prior to the Planning Commission meeting. Proffers and conceptual plans may be revised in accordance with the Planning Staff's recommendations, and revisions incorporating the staff's recommendations must be submitted 14 days prior to the Planning Commission meeting.
- A staff report and recommendation is mailed to the Planning Commission and applicant at least 1 week prior to the Planning Commission meeting.
- The Planning Commission meets on the 3<sup>rd</sup> Thursday of every month.
- Following a public hearing on the rezoning case, the Planning Commission may recommend approval, approval with revisions to the proffers, denial, or deferral of the application.

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## Board of Supervisors

- Signed and notarized final proffers must be submitted 21 days prior to the Board of Supervisors meeting.
- A staff report containing the recommendation of the Planning Commission and Staff is sent to the Board of Supervisors and applicant at least 1 week prior to the meeting.
- The Board of Supervisors hears rezoning cases on the 4<sup>th</sup> Wednesday of every month. Typically, cases are heard by the Board the month following the Planning Commission.
- Following a public hearing on the case, the Board of Supervisors may vote to approve, deny, defer the application to another meeting, or remand the application back to the Planning Commission for further consideration.

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## Approval

- A Board of Supervisors' letter of approval is sent to the applicant and includes all proffers approved with the rezoning.
- Typically, the next step is to submit an application for site plan or subdivision approval.

## Denial

- A Board of Supervisors' letter of denial is sent to the applicant, including reasons for denial.
- The applicant may not submit a substantially similar application until one year following the date of Board action.

## Hanover County Planning Department Application

### Request for REZONING

Case #: \_\_\_\_\_

Please type or print in **black ink**.

APPLICANT INFORMATION	
Owner: _____ Contact Name: _____ Address: _____ _____	Telephone No. _____ Fax No. _____ Email Address _____ _____
Applicant/Contract Purchaser: _____ Contact Name: _____ Address: _____ _____	Telephone No. _____ Fax No. _____ Email Address _____ _____

PARCEL INFORMATION	For <u>multiple</u> parcels, please complete Page 4 [ ]
GPIN(s) (Tax ID #'s) _____ _____ Deed Book _____ Page _____ Magisterial District _____ Location Description (Street Address, if applicable) _____ _____ _____	Total Area (acres/square feet) _____ Current Zoning _____ Requested Zoning _____ Requested Use _____ _____ _____ _____

**SIGNATURE OF OWNER**  **POWER OF ATTORNEY**  **CONTRACT PURCHASER**  *(attach contract)*

**As owner or authorized agent of this property, I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representatives entry onto the property for purposes of reviewing this request.**

Signature _____	Date _____
Print Name _____	
Signature _____	Date _____
Print Name _____	

**QUESTIONS/ LETTERS/ REPORTS SHOULD BE FORWARDED TO THE FOLLOWING\*\*:**

Name _____ Address: _____ _____ _____	Telephone No. _____ Fax No. _____ Email Address _____ _____
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\*\*It is the responsibility of the contact person to provide copies of all correspondence to other interested parties to the application.

**FOR APPLICATIONS WITH MULTIPLE PARCELS, PLEASE LIST:**

GPIN	Property Owner(s)	Deed Book and Page Number	Area (acres/square feet)	Current Zoning	Requested Zoning
	Print				
	Sign				
	Print				
	Sign				
	Print				
	Sign				
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**ATTACHMENTS - For ALL REQUESTS you must submit the following:**

- a. **Acknowledgement of Application Fee Payment Procedure** (Page 6)
- b. **Adjacent property owners, Board of Supervisors, and Planning Commissioner notification form** (Page 7) – please list all adjacent property owners including those across roadways, watercourses, and/or railroads as well as the members of the Board of Supervisors and Planning Commission for the magisterial district in which the property is located. Adjacent property owners, Board members, and Planning Commissioners must be notified prior to submittal of this application. The form must include owners' names, address, and GPINs for all adjacent property owners. (This information is available from the County website or may be obtained from the Planning Department.) A sample letter has been provided (Page 9), and may be used to notify the adjacent property owners.
- c. **A plat of the subject property**, which accurately reflects the current property boundaries, includes metes and bounds, is drawn to scale, and shows existing structures. If the full-size plat is larger than 8 ½" x 11", the plat must be folded no larger than 9" x 12", and a reduction of the plat must be submitted which is 8 ½" x 11" in size. (Typically available from the County Clerk's Office in the Circuit Court building.)
- d. **Responses to questions on Pages 10 and 11**
- e. **Historic Impact Information** (Page 12) (This information is available on the County website or may be obtained from the Planning Department.)
- f. **Traffic Impact Analysis Certification Form** (Page 13) In compliance with VDOT's new Traffic Impact Analysis Regulations (24 VAC 30-155 *et seq.*, commonly known as "Chapter 527"), rezonings that meet certain thresholds require Traffic Impact Analyses (TIA).  
The process for submitting a TIA is as follows:
  - 1) Submit the number of copies of the TIA required by VDOT to the Hanover County Planning Department with your comprehensive plan amendment/rezoning/conditional use permit submittal.
  - 2) The Hanover County Planning Department will stamp "received" on all copies of the TIA, and will keep a copy for its files.
  - 3) The applicant will deliver the remaining copies of the TIA to VDOT and pay the necessary TIA review fee directly to VDOT.
- g. **Community Meeting Guide** (Please check if you have read and understand Pages 14 & 15.)
- h. **USPS Cluster Box Units (CBUs)**, please show the general location of USPS' Central Box Units (CBUs) along with elevations, access, parking and lighting, if provided. Please contact the local postmaster to obtain specific guidelines.
- i. **For applications requiring plans**, please submit thirteen (13) full-size plans, with sheets no larger than 24" x 36", folded to 9" x 12" in size, and **one – 8 ½" x 11" reduction**. MX Project Design Manuals no larger than 8.5" x 11"  
**Specific district requirements:**
  - RS\*** - Conceptual plans that meet the requirements of Section 26-67 of the Zoning Ordinance.
  - RC** - Existing Feature and Site Analysis plans that meet the requirements of Section 26-54(a).
  - RM\*** - Conceptual plans that meet the requirements of Section 26-84.
  - MX** - Master Plan that meets the requirements of Section 26-93.
  - BP** - Master Plan that meets the requirements of Section 26-157.

\*RS and RM conceptual plans may also serve as the subdivision preliminary plat. In addition to the Zoning Ordinance requirements noted above, the preliminary plat requirements in Section 25-25 of the Subdivision Ordinance must also be addressed.

**Check here** if the conceptual plan will serve as the preliminary plat.

**NOTE:** When **conceptual plans and/or elevations** are requested by the Director of Planning which are larger in size than 8½" x 11" or are in color, please submit thirteen (13) full-size or colored plans, with sheets no larger than 24" x 36", folded to 9" x 12" in size, and **one - 8 ½" x 11" reduction**.

**ACKNOWLEDGEMENT OF APPLICATION FEE PAYMENT PROCEDURE**

Application fees are not accepted at the time of submittal. I hereby acknowledge that this application is not complete until the payment for all applicable application fees has been received by the Hanover County Planning Department. The Hanover County Planning Department shall notify me by mail, email and/or fax, (if selected below) of the applicable fee(s) at such time that they determine that the application is complete and acceptable. I acknowledge that I am responsible for ensuring that such fees are received by the Hanover County Planning Department by the Tuesday the week following the application deadline. I further acknowledge that any application fee submitted after this date shall result in the application being considered filed for the next application deadline.

Should the applicable fees not be submitted within forty-five (45) days of the date of the notification letter, it shall be my responsibility to arrange for the retrieval of all application materials. The application and any supplementary materials for incomplete applications that are not retrieved within forty-five (45) days of the date of the notification letter shall be destroyed by the Hanover County Planning Department.

Should my application be accepted, my fee payment will be due by \_\_\_\_\_. (To be filled in by a Planning Staff member.)

Signature of applicant/authorized agent \_\_\_\_\_ Date \_\_\_\_\_  
 Print Name \_\_\_\_\_

Signature of applicant/authorized agent \_\_\_\_\_ Date \_\_\_\_\_  
 Print Name \_\_\_\_\_

Address to which notification letter is to be sent:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If you would like your letter emailed and/or faxed, please make selections, and provide the information below:

Email \_\_\_\_\_  Fax \_\_\_\_\_

**FEES**

Following application acceptance, make checks payable to Treasurer, Hanover County:

A-1, OHP	\$500
AR-6 (>2 lots), RC, RS, RM, MX	\$1500 + \$75/acre* for 1st 200 acres; \$30/acre* for acreage>200 acres
B, OS, M, BP	\$1100
Amendment of Proffer or Planned Unit Development	\$1500

\*Fractions of acreage are rounded up to the nearest whole number.

Please note: Applicants which request tax-exempt status may have their application fee waived upon presentation of official documentation of such status.

**FOR STAFF USE ONLY:**

Base Fee \_\_\_\_\_  
 Acreage Fee \_\_\_\_\_  
**TOTAL FEE** \_\_\_\_\_

Accepted by: \_\_\_\_\_  
 HTE #: \_\_\_\_\_









**PLEASE RESPOND FOR ALL REZONING APPLICATIONS:**

1. What is the General Land Use Plan Map designation for the subject property? \_\_\_\_\_  
\_\_\_\_\_
2. What, if any, is the Major Thoroughfare Plan designation for the public road on which the subject property has frontage? \_\_\_\_\_  
\_\_\_\_\_
3. Describe in detail the proposed use of the property. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. List any sensitive environmental or unique features on the property. Are there any 150kV or greater transmission lines, transmission lines for natural gas, other public utilities, or other entity? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Is the subject property located in a Dam Break Inundation Zone?  Yes  No (Please contact the Department of Planning or Public Works for assistance in addressing this question.) If yes, please contact the Department of Public Works for further information.

**RESPOND FOR RS AND RM REZONING APPLICATIONS: (Attach additional pages, if needed)**

1. Have you provided a conceptual plan of the proposed development, including general lot configurations and road locations? \_\_\_\_\_
2. How does your proposal preserve or protect the existing trees on the property? If the property is treeless, does your proposal contain provisions to provide trees on the property? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Are recreational amenities being proposed for the project? If so, specify in detail the amenities planned. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. What provisions will be made to ensure safe and adequate access to the subject property? (Note: A second means of access should be provided for any project in which there will be fifty-one (51) or more lots.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RESPOND FOR AR-6 and RC REZONING APPLICATIONS: (Attach additional pages, if needed)**

1. For **AR-6** rezoning requests: Have you provided a conceptual plan of the proposed development, including general lot configurations and road locations? Are the proposed lot sizes compatible with existing parcel sizes in the area? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. How is the proposed subdivision compatible with the rural setting and sensitive to natural and cultural features? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. What provisions will be made to ensure safe and adequate access to the subject property? (Note: A second means of access should be provided for any project in which there will be fifty-one (51) or more lots.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RESPOND FOR B-1, B-2, B-3, BO, OS, M-1, M-2, M-3 REZONING APPLICATIONS:  
(Attach additional pages, if needed)**

1. Has a conceptual plan of the proposed development been provided, showing proposed building locations, parking lots, entrances, and other features? \_\_\_\_\_
2. What provisions will be made to ensure safe and adequate access to the subject property? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. How will the traffic impact of this development be addressed?: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Describe why the proposed use is desirable and appropriate for the area. What measures will be taken to assure that the proposed use will not have a negative impact on the surrounding vicinity? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. What type of signage is proposed for the site? \_\_\_\_\_  
\_\_\_\_\_
6. Have architectural/building elevations been submitted with this application? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## HISTORIC SITE IMPACT ANALYSIS

Please identify any **known or suspected historic resources on both the subject property and adjacent properties**, to include both structural and non-structural resources, such as trenches, cemeteries, and archeological sites. Please include the GPIN (Tax Parcel Number) associated with the resource. Please attach additional sheets, if necessary. Should you need assistance completing this form, please contact the Planning Staff.

1. Historic Resource/File No. \_\_\_\_\_ GPIN \_\_\_\_\_
2. Historic Resource/File No. \_\_\_\_\_ GPIN \_\_\_\_\_
3. Historic Resource/File No. \_\_\_\_\_ GPIN \_\_\_\_\_
4. Historic Resource/File No. \_\_\_\_\_ GPIN \_\_\_\_\_
5. Historic Resource/File No. \_\_\_\_\_ GPIN \_\_\_\_\_

If you have identified known or suspected historic resources on the subject property or adjacent property, please provide the following information on each site:

- a) Is the historic site listed as a National or State Registered Landmark? \_\_\_\_\_
- b) Is the historic site open to the public? \_\_\_\_\_
- c) Describe the impact the proposed request will have on the identified historic resources with regard to noise, traffic, dust, vibration, visual impact, and air pollution. \_\_\_\_\_

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- d) Describe voluntary measures that will be undertaken to help mitigate the impact that the proposed use may have on the identified historic resources. \_\_\_\_\_

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**If there are no known or suspected historic resources** on the subject property or immediately adjacent, including structural and non-structural resources, trenches, cemeteries, and archeological sites, **please sign and date.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# COMPLIANCE WITH VDOT & COUNTY TRAFFIC IMPACT ANALYSIS REQUIREMENTS

**The following must be completed for all applications:** The selection below is based on a projected daily trip generation of \_\_\_\_\_ vehicles per day and a site peak hour trip generation of \_\_\_\_\_ vehicles per hour, based on the stipulations of 24 VAC 30-155. The \_\_\_\_\_ edition (latest edition) of the ITE Trip Generation Manual was used in determining the trip generation (Code Number \_\_\_\_\_ and Page Number \_\_\_\_\_).

**Choose one of the two options below:**

- I certify that this proposal **DOES NOT EXCEED** 380 vehicle trips per day that would require submittal of a Traffic Impact Analysis.
- I certify that this proposal **DOES EXCEED** 380 vehicle trips per day that would require a Traffic Impact Analysis be submitted.

**Choose one of the two options below:**

- I certify that this proposal DOES NOT MEET any of the VDOT thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application.
- I certify that this proposal MEETS at least one of the VDOT thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application. A Traffic Impact Analysis, prepared in accordance with the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155), has been prepared and will be submitted to VDOT the same day.

\_\_\_\_\_  
(Signature of Applicant/Applicant's Representative)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Applicant/Applicant's Representative – Print Name)

**For questions regarding VDOT requirements:**

Virginia Department of Transportation (VDOT) – Ashland Residency

Robert Butler, Assistant Residency Administrator

523 North Washington Highway

Ashland, VA 23005

Phone (804) 752-5511

Fax (804) 752-6431

Email: [robert.butler@vdot.virginia.gov](mailto:robert.butler@vdot.virginia.gov)

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

## **Community Meeting Guidelines**

It is often recommended that applicants who file a zoning application for Rezoning, Conditional Use Permit, Special Exception Permit, or a Comprehensive Plan Amendment arrange a community meeting with surrounding property owners. These meetings are particularly necessary for complex rezoning applications or cases with significant community interest.

### **What is the purpose of a community meeting?**

A community meeting allows the applicant the opportunity to present their case to the community and also obtain feedback from citizens who may have questions, concerns, or comments about the proposal.

### **When should the meeting be scheduled?**

The applicant is responsible for scheduling the meeting. It should be scheduled at least one month prior to the date the application is scheduled to be heard by the Planning Commission or Board. This timeframe should allow the applicant time to make any necessary changes to the application following the meeting and still meet the 21-day Planning Commission or Board deadline. The Planning Staff recommends that applicants schedule the meeting after all agencies have conducted their initial review of the application.

### **Who should be contacted to arrange for the meeting time?**

The applicant should coordinate with their Planning Commissioner, Board of Supervisors representative, and Planning Staff to arrange the meeting time and location. After the meeting has been scheduled, the remaining Planning Commissioners should also be invited and notified of the meeting time and location.

### **Where and at what time of day should the meeting be held?**

The applicant is responsible for finding a location to hold the meeting. Potential locations often include churches, fire stations, and libraries.

The meeting should be held in the evening, Monday through Thursday, beginning around 6:00 pm or 7:00 pm. Meetings typically last from one to two hours, depending on the complexity of the case. It is recommended that applicants prepare an agenda for the meeting, setting aside time for staff comments, a presentation by the applicant, and a question and answer period. A sample agenda is attached.

### **Who should be notified about the meeting?**

The applicant should start by sending written notices to adjacent property owners. At times, it may be appropriate to notify all of the residents within the subdivision (if the property is within a subdivision). The applicant should also ask the assigned planner if he or she has been contacted by other interested parties who may want to attend the meeting. If so, those parties should be notified of the meeting. It is helpful to include a copy of the proposed sketch plan or conceptual plan with the notice. This will allow citizens who may not be able to attend the meeting the opportunity to educate themselves about the nature of the project. Property owner information may be obtained from the County's website. It may also be necessary to notify representatives of nearby communities, such as the president of a homeowners association.

**Sample  
Community Meeting Agenda  
Date/Location  
Hanover County Rezoning Case Number C-xx-xx (c)  
Applicant: XXXX  
Project name: XXXX**

1. Introductory Comments: Supervisor and/or Planning Commissioners name
2. Review Process – Staff
3. Zoning Proposal - Applicant
  - a. Project Introduction
  - b. Project Description
  - c. Project Design Concepts
  - d. Project Impact Mitigation Measures
4. Question and Answer – Supervisor/Planning Commissioner/Applicant/Staff as appropriate
5. Closing Comments – Supervisor/Planning Commissioner/Applicant

**TO THE APPLICANT:**

It is the policy of the Hanover County Board of Supervisors, the Hanover County Planning Commission, and Hanover County Board of Zoning Appeals to require a property to be posted when a zoning action is being considered. Such a posting notifies the general public of an impending action and the location being considered.

It is incumbent on you, the applicant, to insure the sign is in the proper location and remains there until an action has taken place. Consequently, the procedure for posting is as follows:

1. The Planning and Zoning Staff will post the sign on your property.
2. You should check the location of the sign to make certain it is in the right place on your property. If it is not, notify the Planning Office as soon as possible.
3. You should check periodically to insure the safety of the sign. If it is stolen or otherwise harmed, notify the Planning Office as soon as possible.
4. On the day of the final public hearing on your case, you may bring the sign with you and leave it in the Planning Office. Make sure the return of your sign is noted by a member of the Planning Staff.

Should you have any questions regarding this policy, please contact a member of the Planning Staff.

<b>Ashland, Rockville and Mechanicsville</b>	<b>(804) 365-6171</b>
<b>Old Church</b>	<b>(804) 730-6171</b>
<b>Hanover and Doswell</b>	<b>(804) 537-6171</b>
<b>Beaverdam and Montpelier</b>	<b>(804) 227-3377</b>
<b>FAX</b>	<b>(804) 365-6232</b>