Attachment 9 Page 1 of 33

ZONING RECLASSIFICATION

APPLICATION





JUNE 2022

Stafford County Department of Planning & Zoning

1300 Courthouse Road P.O. Box 339 Stafford, VA 22555-0339

Phone: 540-658-8668 540-658-6824 Fax:

www.staffordcountyva.gov

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.

<u>Reclassification Application Instructions</u>

- 1. It is recommended that a preliminary conference should be held with the staff to discuss the application before it is filed.
- 2. Resolution R16-170 is the policy for the filing of rezoning and proffer amendment applications with Stafford County and is provided in the Appendix of this application. Resolution 19-188 is the policy for processing rezoning and proffer amendment applications with Stafford County and is provided in the Appendix of this application.
- 3. The application process takes approximately 6 to 9 months from time of submittal to a final decision. The following are the steps involved in the processing of an application:
 - The application is filed. Note that the application can be filed at any time during the month.
 - The application is reviewed by staff for completeness to be deemed to be filed. The department director will provide a written notice to the applicant identifying the date the application is deemed to be filed.
 - If the application is filed by the third Friday of the month, it will be reviewed during the following month.
 - The application is scheduled for the staff Development Review Meeting on the first Wednesday of the following month.
 - Staff provides review comments by the end of the same month.
 - Applicant resubmits application materials in response to staff comments.
 - Staff reviews revised application materials. The length of time for review is dependent on the number of outstanding issues.
 - Once the issues are addressed, the case is scheduled for the next available Planning Commission public hearing. Approximately 1 month is needed to meet public notification requirements.
 - Following the Planning Commission public hearing, the Planning Commission has up to 100 days to make a decision.
 - Following the Planning Commission decision, the case is scheduled for a public hearing with the Board of Supervisors. The Chairman of the Board typically schedules the case, one month after the Planning Commission decision for required public notice.
 - Following the public hearing, the Board of Supervisors must decide to approve or deny the request no later than one year from the date the application is filed, unless extended at the Applicant's written request or consent.
- 4. Additional information regarding proffers is provided in the Appendix of this application.
- 5. Pursuant to R19-188, any pending application exceeding 18 months from the date of filing a complete application shall be administratively closed unless a time extension was requested in writing by the applicant and granted by the Board.

- 6. Public Hearing Waiver Process: Under limited circumstances, the Board may amend proffered conditions without requiring public hearings, in accordance with the following criteria and process:
 - A. A waiver of the public hearing requirement may be considered where such amendment does not affect use or density. Amendment or variation of conditions eligible for consideration for such a waiver shall be limited to those involving the following areas:
 - <u>Conflicts with current ordinances.</u>
 - <u>Buffer and screening standards that are no longer applicable.</u>
 - <u>Use of best management practices for stormwater management.</u>
 - <u>Percentage of parking area devoted to landscaping.</u>
 - Building placement.
 - <u>Sign location.</u>
 - Dumpster or waste disposal location in excess of fifty (50) feet from the nearest residence.
 - <u>Reduction in building footprint.</u>
 - <u>Reduction in building height.</u>
 - Building architecture to include design, materials, and color scheme.
 - Fences, walls and berms, to include location, design, materials and height.
 - <u>Proffered conditions that have been completed or satisfied.</u>
 - B. If a proffer amendment public hearing waiver is being requested, it shall be noted on the General Information sheet (page x) of this application.
 - C. The applicant is required to notify all adjoining property owners, identifying the proffers proposed for amendment and that the application may be reviewed at the department of planning and zoning. Notice shall be sent by registered or certified mail.
 - D. When the application is deemed complete and meets the standards for a waiver, the Board will first consider the request to waive the public hearings. Should the Board approve the waiver, then the Board will consider the proffer amendment request. Should the Board deny the waiver request, the applicant would need to amend this zoning reclassification application, pay any additional necessary fees, and proceed through the normal public hearing process to request consideration of the proffer amendment.

Application Submittal Checklist

- □ Completed "Project Information & Primary Contacts" form (Page 6)
- □ Signed **"Statements of Understanding"** from the owner(s) and applicant (Page 7)
- □ Signed and Notarized **Owner's Consent Statement** (if applicant/agent is not the owner)
- □ Completed **"General Information"** sheet (Page 8)
- □ Completed **"Review Fee Calculation"** sheet and appropriate fees payable to "County of Stafford" and "Virginia Department of Transportation" (if applicable) (Pages 9 11)
- □ Completed "List of Adjoining Property Owners" (Pages 12 & 13)
- □ Completed "Application Affidavit" (Pages 14 17)
- □ Completed "Checklist for Generalized Development Plans" (Pages 19 & 20)
- □ Completed **"Transportation Impact Analysis Determination Form"** (Page 21)
- D Proof that **Real Estate Taxes** have been paid
- □ Complete Legal Description of the area to be reclassified (Acreage must match Boundary Survey Plat)
- □ Completed Impact Statements (See "Checklist for Impact Statements" (Page 18)
- □ Completed **Transportation Impact Analysis (TIA)**, if required (Five (5) paper copies with electronic copies or ftp site) (See "**VDOT Rezoning Package Checklist**", Page 23)

PLATS AND PLANS

- □ **Boundary Survey Plat** of area subject to rezoning (with 3 copies at 8½" x 11" size) (Acreage must match Legal Description)
- Generalized Development Plan (12 full-size copies at 24"x 36" size)

* See "Checklist for Generalized Development Plans" (Pages 19 & 20)

Applications for reclassification to the P-TND zoning district shall also include:

- □ Twenty (20) copies of the Regulating Plan
- □ Twenty (20) copies of the Neighborhood Design Standards

PROFFER STATEMENT – OPTIONAL

□ **Proffer Statement** (It is preferred for the proffer statement to be properly executed upon initial submittal, or as soon thereafter as possible. Prior to advertisement of any public hearing, the latest version of the proffer statement must be properly executed – see Notice to Applicants Regarding Proffers – Pages 24 & 25)

If Proffer Statement is for new residential developments and residential components of mixed-use properties:

□ Completed Election of Code Provisions for Residential Proffers Worksheet (Page 26)

PROFFER REASONABLENESS ANALYSIS

□ Proffer Reasonableness Analysis

Note: if electing to proceed under legislation requiring an evaluation of reasonableness, the Proffer Reasonableness Analysis is required. See Table on Page 26.

PROFFER AMENDMENT PUBLIC HEARING WAIVER

□ Proof of Adjoining Property Notification

Note: if electing to proceed under legislation requiring an evaluation of reasonableness, the Proffer Reasonableness Analysis is required. See Table on Page 26.

RECEIVED		OFFICIA	LLY SUBMITTED
DATE:	INITIALS	DATE:	INITIALS

Other Optional Application Materials

Although not required, the following additional materials are requested to be included with the initial application submission, if available. These items are often requested during the review process. Providing the information in advance can assist in accelerating the review:

- 1. Site Illustrations or Building Elevations
- 2. Electronic Version of generalized development plans, boundary survey, and any illustrations (a pdf on a CD, DVD, sent via email, or through ftp site is acceptable)
- 3. Additional Fiscal Impact Information for Commercial Rezonings, including:
 - a) Direct jobs expected to be created from the rezoning (years 1-5)
 - b) Estimated average wage
 - c) North American Industry Classification System (NAICS) business sector code
 - d) Projected investment in real property broken down by land and building (years 1-5)
 - e) Projected investment in machinery & tools/equipment (years 1-5)
 - f) Projected investment in business tangible personal property (years 1-5)
 - g) Other revenues projected such as Sales, Meals, Lodging Taxes (years 1-5)

Project Information & Primary Contacts

PROJECT INFORMATIO	<u>N</u>	PROJECT # 23155236	
Stafford Co. Board of Super	visors - RV Parkway		
PROJECT NAME		SECTION	
		5.8	
ADDRESS (IF AVAILABLE)		TOTAL SITE ACREAGE	
45-98		R-1	
TAX MAP /PARCEL(S)		ZONING DISTRICT	
At the end of RV Parkway	approximately 1,170 feet nort	h of Warrenton Road	
LOCATION OF PROJECT	approximatery 1,170 reet nort	n or warrenton Road	
<u>APPLICANT/AGENT</u> (Pro App	ovide attachment if plicant and Agent differ)	Primary Contact Person X	
<u>Randal E. Vosburg, County</u> NAME	y Administrator	<u>Stafford County</u> COMPANY	
<u>PO Box 339</u>	Stafford	VA 22555 STATE ZIP	
ADDRESS	CITY	STATE ZIP	
<u>540-658-8668</u>	540-658-6824	rvosburg@staffordcountyva.gov	
DHONE NIIMRED	FÁY NII IMRED	EMAIL ADDRES	
<u>OWNER</u> (Provide attachm		Primary Contact Person	
<u>OWNER</u> (Provide attachm			
<u>OWNER</u> (Provide attachm <u>County of Stafford</u>		Primary Contact Person 🛛	
<u>OWNER</u> (Provide attachm <u>County of Stafford</u> NAME	ents if multiple owners)	Primary Contact Person D	
<u>OWNER</u> (Provide attachm <u>County of Stafford</u> _{NAME} <u>PO Box 339</u>	ents if multiple owners) Stafford	Primary Contact Person COMPANY VA 22555	
OWNER (Provide attachm <u>County of Stafford</u> NAME <u>PO Box 339</u> ADDRESS <u>540-658-8668</u>	ents if multiple owners) Stafford CITY <u>540-658-6824</u> FAX NUMBER	Primary Contact Person COMPANY VA 22555 STATE ZIP Tvosburg@staffordcountyva.gov EMAIL ADDRESS	
OWNER (Provide attachm <u>County of Stafford</u> NAME <u>PO Box 339</u> ADDRESS <u>540-658-8668</u> PHONE NUMBER <u>PROFESSIONAL (Enginee</u>	ents if multiple owners) Stafford CITY <u>540-658-6824</u> FAX NUMBER	Primary Contact Person COMPANY VA 22555 STATE ZIP rvosburg@staffordcountyva.gov	
OWNER (Provide attachm County of Stafford NAME PO Box 339 ADDRESS 540-658-8668 PHONE NUMBER PROFESSIONAL (Engineer N/A	ents if multiple owners) Stafford CITY <u>540-658-6824</u> FAX NUMBER	Primary Contact Person □ COMPANY VA 22555 STATE ZIP rvosburg@staffordcountyva.gov EMAIL ADDRESS Primary Contact Person □	
OWNER (Provide attachm <u>County of Stafford</u> NAME <u>PO Box 339</u> ADDRESS <u>540-658-8668</u> PHONE NUMBER <u>PROFESSIONAL (Enginee</u>	ents if multiple owners) Stafford CITY <u>540-658-6824</u> FAX NUMBER	Primary Contact Person COMPANY VA 22555 STATE ZIP Tvosburg@staffordcountyva.gov EMAIL ADDRESS	
OWNER (Provide attachm County of Stafford NAME PO Box 339 ADDRESS 540-658-8668 PHONE NUMBER PROFESSIONAL (Engineer N/A	ents if multiple owners) Stafford CITY <u>540-658-6824</u> FAX NUMBER	Primary Contact Person □ COMPANY VA 22555 STATE ZIP rvosburg@staffordcountyva.gov EMAIL ADDRESS Primary Contact Person □	

STAFFORD COUNTY Department of Planning and Zoning

Statements of Understanding

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 reclassification as outlined in this application and as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements of this application and applicable provisions of the Stafford County Zoning Ordinance, Chapter 28 of the Stafford County Code.

Signature of Owner/CoOwner	Printed Name	9/11/23 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 read and understand the requirements for the submission of a reclassification as outlined in this application and as provided under the Stafford County Code, and further, that this submittal is in compliance with the requirements of this application and applicable provisions of the Stafford County Zoning Ordinance, Chapter 28 of the Stafford County Code.

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:

DETAILED DESCRIPTION OF PROJECT

Reclassification from R-1, Suburban Residential, to M-2, Heavy Industrial, on 5.8 acres to allow

manufacturing use

INFORMATION FOR FEE CALCULATIONS N/A – Stafford County is the applicant

______ # of Acres

Type of Rezoning:

- □ Standard Rezoning
- Planned Development
- Proffer Amendment (Previous Ordinance # _____ Date of Ordinance _____)

□ Minor Proffer Amendment

□ Minor Proffer Amendment (when submitted simultaneously with Minor Conditional Use Permit Application)

INFORMATIONAL

Previous Ordinance #_____

Previous Resolution # _____

of Lots (if rezoning to residential)_____

Original Zoning <u>R-1, Suburban Residential</u>

Proposed Zoning M-2, Heavy Industrial

Proposed Use(s) <u>Manufacturing</u>

Review Fee Calculations

STAFFORD COUNTY FEES: N/A - Stafford County is the applicant

The County review fee calculations are divided into four sections. Each section is based on a different type of reclassification. Determine the application fee by filling out the one section that applies.

Section I. Standard Rezoning:

A. Base Fee: (Required - Enter the dollar amount that applies) If less than 5.0 acres\$4,375.00 If 5.0 acres or greater\$12,500.00	\$
B. General Fee: (If greater than 5 acres)	
(Acres – 5) X \$125	\$
C. Fire & Rescue Review Fee (required)	\$125.00
D. Utilities Department Review Fee (required)	\$215.00
E. Public Works Review Fee (required)	\$200.00
F. Traffic Impact Analysis Review Fee: (If TIA required) Volume <1,000 VPD\$200.00 Volume >1,000 VPD\$400.00	\$
G. Adjacent Property Notification (required):	
(Adjacent properties) X \$6.48	\$
Sub-total (Add appropriate amounts from lines A thru G above)	\$
H. Technology Fee (sub-total x 2.75% or 0.0275)	\$
TOTAL (Sub-total + H. Technology Fee)	\$

Section II. Planned Development: (For requests to the PD-1, PD-2, or P-TND zoning districts)		
A. Base Fee	\$	15,000.00
B. General Fee:		
(Acres – 75) X \$25	\$	
C. Fire & Rescue Review Fee (required)	\$	125.00
D. Utilities Department Review Fee (required)	\$	215.00
E. Public Works Review Fee (required)	\$	200.00
F. Traffic Impact Analysis Review Fee: (If TIA required) Volume <1,000 VPD\$200.00 Volume >1,000 VPD\$400.00	\$	
G. Adjacent Property Notification (required):		
(Adjacent properties) X \$6.48	\$	
Sub-total (Add lines A through G)	\$	
H. Technology Fee (sub-total x 2.75% or 0.0275)	\$	
TOTAL (Sub-total + H. Technology Fee)	\$	
Section III. Proffer Amendment:		
A. General Fee: \$10,000 + If Acres>5 ((Acres – 5) X \$25)	\$	
B. If Planned Development: \$10,000 + ((Acres – 75) X \$25)	. \$	
C. Adjacent Property Notification (required):		
(Adjacent properties) X \$6.48	. \$	
Sub-total (Add lines A and C) or (Add lines B and C)	. \$	
D. Technology Fee (sub-total x 2.75% or 0.0275)	\$	
TOTAL (Sub-total + D. Technology Fee)	\$	

Section IV. Minor Proffer Amendment:

A. General Fee:	\$ 6,190.00
B. Adjacent Property Notification (required):	
(Adjacent properties) X \$6.48	\$
Sub-total (Add lines A and B)	\$
C. Technology Fee (sub-total x 2.75% or 0.0275)	\$
TOTAL (Sub-total + C. Technology Fee)	\$

Section V. Minor Proffer Amendment (when submitted simultaneously with minor Conditional Use Permit Application):

A. General Fee:	\$ 3,095.00
B. Adjacent Property Notification (required):	
(Adjacent properties) X \$6.48	\$
Sub-total (Add lines A and B)	\$
C. Technology Fee (sub-total x 2.75% or 0.0275)	\$
TOTAL (Sub-total + C. Technology Fee)	\$

Sections I, II, III, IV and V: MAKE CHECK PAYABLE TO "STAFFORD COUNTY".

- If an application is withdrawn prior to the first public hearing, fifty (50) percent of the amount of the application fee may be refunded to the applicant.
- If an application is withdrawn after the first public hearing, the application fee is non-refundable.

VIRGINIA DEPARTMENT OF TRANSPORTATION FEES:

Transportation Impact Analysis Fee:

(For applications that meet VDOT Traffic Impact Analysis thresholds)

A. Subject to low volume road criteria (see 24 VAC 30-155-40 A 3)	\$ 250.00
B. All other submissions	\$ 1000.00

MAKE CHECK PAYABLE TO "VIRGINIA DEPARTMENT OF TRANSPORTATION"

For a third or subsequent submission of a rezoning proposal that is requested by VDOT on the basis of the failure of the applicant to address deficiencies previously identified by VDOT, the fee is equal to the initial fee paid. (per 24 VAC 30-155, §15.2-2222.1 of the Code of Virginia)

List of Adjoining Property Owners See Attached List

The applicant is required to 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 to be rezoned or issued a Conditional Use Permit. If the application requests a rezoning of only a portion of the parcel or a Conditional Use Permit on only a portion of the parcel, the entire parcel must be the basis for the below listing.

Provide additional pages if needed.

	· · · · · · · · · · · · · · · · · · ·		
FAX MAP / PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP
ΓAX MAP / PARCEL	NAME		
MAILING ADDRESS			
CITY		STATE	ZIP
ΓΑΧ MAP / PARCEL	NAME		
MAILING ADDRESS			
CITY		0T & TE	715
0111		STATE	ZIP

TAX MAP / PARCEL	NAME		
MAILING ADDRESS			
СПҮ		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

ADJACENT PROPERTIES RV PARKWAY PARCEL 45-98

Pcl ID	Owner	StAdd			
		100 INTERSTATE			
45- 66	INTERSTATE SOUTH LLC	BUSINESS PARK A	FREDERICKSBURG	VA	22405-1321
45 - 99	PLUMMER FAMILY PROPERTIES	4711B EWELL RD	FREDERICKSBURG	VA	22408-2631
45 - 51B	TAYLOR LOYD C	PO BOX 1249	FREDERICKSBURG	VA	22402-1249
45 - 97B	TRAVEL TIME OF VIRGINIA LTD	PO BOX 1249	FREDERICKSBURG	VA	22402-1249
	AAA TRUCK & AUTO REPAIR				
45 - 57A	COMPANY	PO BOX 1249	FREDERICKSBURG	VA	22402-1249
	AAA TRUCK & AUTO REPAIR				
45 - 97A	COMPANY	PO BOX 1249	FREDERICKSBURG	VA	22402-1249
45 -56B	TAYLOR LLOYD C	PO BOX 1249	FREDERICKSBURG	VA	22402-1249

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Application Affidavit

This form to be filed with:

STAFFORD COUNTY BOARD OF SUPERVISORS

1300 COURTHOUSE ROAD STAFFORD, VIRGINIA 22555

Internal Use Only
Project Name: <u>RV Parkway - First Line Technologies</u>
A/P #: <u>23155236</u>
Date: <u>8/31/23</u>

All applicants for a special exception, a special use permit, conditional use permit, amendment to the zoning ordinance or variance shall make complete disclosure of the equitable ownership of the real estate involved in the application, including in the case of corporate ownership, limited liability company ownership or similar business ownership, the name of stockholders, officers, managing partners, general partners, owners and members, and in any case the names and addresses of all of the real parties in interest. The requirement of listing names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders. In the event the ownership of the involved real estate changes in any respect during the time the application is pending, the applicant shall make complete disclosure of the new equitable ownership of the real estate involved in the application as required herein. If the applicant is a contract purchaser, the ownership information required herein shall be provided for the contract purchaser in addition to the owner of the real estate involved in the application. This section applies to applications before the board of supervisors, planning commission and board of zoning appeals.

See Section 15.2-2289 for State Enabling Authority

1. Applicant information

2.

Name of Applicant	Randal E. Vosburg, County Administrator
Name of Company	County of Stafford
Applicant Address	PO Box 339
	Stafford, VA 22554
Applicant's Signature	Ruly Vog
Name of Agent	Randal E. Vosburg
Address of Agent	PO Box 339, Stafford, VA 22555
Гуре of Application	
	Use Permit 🗌 Variance
X Rezoning	□ Special Exception

Page	15
	~ ~

Application Affidavit Page 2 Applicant: <u>County of Stafford</u>		Project Name: <u>RV Parkway - First Line Technologies</u> A/P #: <u>23155236</u> Date: <u>8/31/23</u>
3. Property Information	1	
Assessor's Parcel(s)	45-98	
Address		

4. Unless the equitable ownership is a corporation, limited liability company or similar business ownership, list all equitable owners of the property.

Name of owners	Address
County of Stafford	PO Box 339, Stafford, VA 22555

5. If the equitable ownership of the property is a corporation, limited liability company or similar business ownership, list all officers, managing partners, general partners, share holders, owners and members. This provision shall not apply if the corporation is listed on a national or local stock exchange and has more than 500 share holders.

Name of Members	Address

6. Unless the applicant is a contract purchaser and is a corporation, limited liability company or similar business ownership, list all individuals involved with the purchase of the property. <u>Name of Members</u> <u>Address</u> Application Affidavit Page 4 Applicant: County of Stafford Project Name: <u>RV Parkway - First Line Technologies</u> A/P #:<u>23155236</u> Date: <u>8/31/23</u>

10. Affirmation & Witness

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief. In the event the ownership of the involved real estate changes during the time the application is pending, I shall make complete disclosure of the new equitable ownership of the real estate involved in the application as required herein.

Printed name of Signer Randal E. Vosburg, County Administrator

Corporate Office of Signer ______ Signature Rad US Date 9/11/23

COMMONWEALTH OF VIRGINIA COUNTY OF STAFFORD, to wit:

The forgoing affidavit was acknowledged before me this _____ day of _____

2023 by Plandy Vosburg

_____ owner/applicant.

My commission expires: 228 2026

Michelle Snith

Notary Public



Application Affidavit Page 3 Applicant: <u>County of Stafford</u>

Project Name: <u>RV Parkway -</u> <u>First Line Technolo</u> g	<u>ies</u>
A/P #: <u>23155236</u>	
Date: <u>8/31/23</u>	

7. If the applicant is a contract purchaser and is a corporation, limited liability company or similar business ownership, list all officers, managing partners, general partners, share holders, owners and members. This provision shall not apply if the corporation is listed on a national or local stock exchange and has more than 500 share holders

Name of Members

8. Have all individuals listed on this affidavit been notified of the purpose of the application?

X Yes

No No

9. If #8 is No, list all individuals who have not been notified about this application plus submit the cost required for the Department of Planning and Zoning or Code Administration to send certified letters notifying those listed below of this application prior to the public hearing.

Name	Address, includin	g zip code, no P.O. Box please
Number of owners to be	notified: <u>0 </u>	
Cost for certified letters	Ś	(cost as of the day of submittal)
Total due:	\$	(Make checks payable to County of Stafford)

Please submit a check in the amount due with this application to cover the cost of serving the individuals listed in this section.

Checklist for Impact Statements

Impact statements are required for rezoning requests which meet at least one of the following criteria:

- a. would allow for a use(s) that could generate more than 500 average daily vehicle trips;
- b. would have a gross density of more than seven (7) dwelling units per acre;
- c. would have more than fifty (50) dwelling units;
- d. would be greater than fifty (50) acres in size;
- e. propose a commercial rezoning adjacent to residentially zoned property.

Impact Statements must address the following:

- a. current capacity of and anticipated demands on highways, utilities, storm drainage, schools and recreational facilities;
- b. fiscal impact: potential tax revenues and anticipated cost to County services;
- c. environmental impact;
- d. impact on adjacent property;
- e. location and proximity to designated and identified historic sites.

** These studies shall describe the differences which would result from maximum, ultimate development of the land under the proposed zoning classification as compared to maximum development under the existing zoning classification.

Transportation Impact Analysis

A Transportation Impact Analysis Determination Form (provided on page 18) must be submitted to determine if a Transportation Impact Analysis is required. A Transportation Impact Analysis (TIA) may be required by the County or VDOT depending on the amount of traffic generated by the proposed development. The thresholds are provided on the determination form.

Checklist for Generalized Development Plans (GDP)

In accordance with Section 28-224 of the Stafford County Code, when a GDP involves engineering, architecture, urban land use planning or design, landscape architecture, or surveying, such work shall be performed by persons qualified and authorized to perform such professional work, in accordance with applicable provisions of the Code of Virginia.

The following items must be shown on a GDP:

N/A	COMPLETE	
		Sec 28-225(1)
		Date of drawing,
		true north arrow,
		scale,
		legend for all symbols used,
		name of the applicant,
		name of the owner,
		name of the development,
		person preparing the drawing,
		match lines if applicable;
		Sec 28-225(2)
		Boundaries of the area covered by the application,
		vicinity map showing the general location of the proposed development,
		major roads and existing subdivisions at a scale of one inch equals two
		thousand (2,000) feet;
		Sec 28-225(3)
		Approximate locations and identification of any easements and rights-of-
		way on or abutting the site;
		Sec 28-225(4)
		Approximate location of each existing and proposed structure on the site
		the number of stories,
		height,
		roof line,
		gross floor areas and
		location of building entrances and exits;
		Sec 28-225(5)
		Identification and location of uses and structures on all abutting
		properties;
		Sec 28-225(6)
		Approximate location of all existing and proposed parking and loading
		areas,
		outdoor trash storage,
		lighting facilities, and
		pedestrian walkways;

Checklist for Generalized Development Plans (continued)

N/A COMPLETE

Sec 28-225(7)
Approximate location, height and type of each existing and proposed wall,
fence, and other types of screening;
Sec 28-225(8)
Approximate location and description of all proposed landscaping;
Sec 28-225(9)
Approximate location, height and dimensions of all proposed signage on site;
Sec 28-225(10)
Approximate location of all existing drainage ways, floodplains and wetlands on site;
Sec 28-225(11)
Approximate location of all common open space, recreational areas and
bufferyards;
Sec 28-225(12)
Where the site abuts any tidal water body or impoundments, the
approximate high water line, low water line, top of bank and toe of slope;
Sec 28-225(13)
Approximate location and identification of all significant natural or noteworthy features including, but not limited to, historic and archeological sites, cemeteries, existing trees with a trunk diameter greater than six (6) inches DBH.

Waiver of GDP Requirements

In accordance with Section 28-223 of the Stafford County Code, the Director of Planning and Zoning may waive the requirement for the submission of a GDP or one of the above required components if the application meets one of the following standards:

(1) There will be less than two thousand five hundred (2,500) square feet of total land disturbance on lots or parcels of less than ten thousand (10,000) square feet.

(2) For single-family dwellings intended for the occupancy of the applicant and where there will be less than five thousand (5,000) square feet of land disturbance.

(3) For specific items of information when, in the opinion of the director of planning, their application to the subject property does not serve the purpose and intent of this article.

A request for a waiver shall be made in writing to the Director of Planning and Zoning identifying the sections in which you are requesting a waiver and the reason for the request.

RECLASSIFICATION TRANSPORTATION IMPACT ANALYSIS DETERMINATION

Name of development <u>First Line Technologies</u> Type of development <u>Manufacturing</u> Parcel # 45-98

Traffic Volume Calculations

This site generates:

16	VPH (highest VPH)
95	VPD on state controlled highways (highest)
16	VPH Peak AM
16	VPH Peak PM
4	VPH Peak Saturday
95	VPD highest intensity*

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

Minimum Thresholds to submit a TIA

County: Any proposals generating 1,000 or more VPD.

VDOT: 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 redeveloped as a higher intensity use, 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.

For development proposals that generate 1,000 or more vehicle trips per peak hour the applicant shall request a scope of work meeting with VDOT and Stafford County Office of Transportation to discuss the required elements of a traffic impact analysis.

RECEIVED BUT SUBMITTED:	NOT OFFICIALLY
DATE:	INITIALS
OFFICIALLY SU	BMITTED:
DATE:	INITIALS

*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 trip generation for the highest intensity use shall be analyzed in the study. The only exception is if proffers limit the area and type of uses.

VDOT Traffic Impact Analysis Requirements

Process		Threshold	Review Process*	Fee**	
Comprehensir Plan Amendmer small area	nts (including	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 All Other Land Uses including residential	400 VPD AND exceeds the current traffic volume on a state controlled highway 5,000 VPD on state controlled highways, or 5,000 VPD on locality maintained streets AND within 3000 feet of 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 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.	For first and second review: \$250 - Low Volume Rd \$1000 – All other submissions 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.

VDOT Rezoning Package Checklist*

Traffic Impact Analysis Regulations: 24VAC30-155-40.B

□ A COVER SHEET containing:

□ Contact Information for the

 \Box Locality,

Stafford County Office of Transportation P.O. Box 339 Stafford, VA 22555-0339 540-658-4900

□ Developer (or owner), if applicable;

□ Site Information

□ Rezoning location,

□ Highways adjacent to the site,

□ Parcel number or numbers;

□ **Proposal Summary** with the

Development's name,

□ Size (acreage),

□ Proposed zoning;

□ Proposed types of land uses, including maximum number of lots or maximum business square feet, and

□ A Statement regarding the proposal's compliance with the comprehensive plan.

□ A LOCAL TRAFFIC IMPACT ANALYSIS OR, IF LOCAL REQUIREMENTS FOR TRAFFIC STUDIES HAVE NOT BEEN CERTIFIED BY VDOT, A VDOT TRAFFIC IMPACT STATEMENT.

□ A CONCEPT PLAN of the proposed development.

□ **ANY PROFFERED CONDITIONS** submitted by the applicant.

□ FEES -

□ For a locality or other public agency initiated proposal – No fee charged.

□ **For the initial or second review** of a rezoning proposal, a single fee for both reviews will be determined by the number of vehicle trips generated per peak hour, as follows:

□ **Low Volume Road** (24VAC30-155-40 A 1 c). - \$250 □ **All other submissions** - \$1,000

□ **For a third or subsequent submission** of a rezoning proposal that is requested by VDOT on the basis of the failure of the applicant to address deficiencies previously identified by VDOT, the fee is equal to the initial fee paid.

* One paper copy and one electronic copy to be submitted.

This checklist is available on the VDOT Traffic Impact Analysis Regulations website in a MS Word editable format.

NOTICE TO APPLICANTS REGARDING PROFFERS

<u>Background</u>

Proffers may be provided by an applicant in order to offset the impacts of development. They are voluntary conditions that run with the zoning of the property. Proffers may restrict the use of the property, accommodate specified public improvements, or provide monetary contributions to offset impacts of the proposed development. Proffers must be signed by the applicant, notarized, and submitted to the County in final form before the Board of Supervisors' public hearing on the zoning reclassification application. You are not required to submit proffers as part of your zoning reclassification application.

Staff Review

Proffers (if submitted) will be reviewed and approved to form by the County Attorney and the Zoning Administrator. Additionally, all affected County Departments shall comment on the purposed proffer prior to the publication of any staff report. Planning staff will be responsible for coordinating review comments and scheduling public hearing dates. The timeline for public hearings included in the application is for informational purposes only. Staff will recommend that the Board of Supervisors reject any final proffers that have not been approved to form.

Notice to Applicants Regarding Residential Proffer Submissions

The General Assembly passed a law, effective July 1, 2016, which applies to proffers relating to new residential developments and residential components of mixed-use properties. Such law was amended again in 2019, effective July 1, 2019. The law, Virginia Code § 15.2-2303.4 as currently stated (the "Statute"), makes it unlawful for a locality to require an "unreasonable proffer." In order to ensure compliance with the Statute, unless proffers are deemed reasonable by the applicant and owner as described below, certain applications must include an analysis showing how each proffer made complies with the Statute's requirements. Refer to the Election of Proffer Legislation for Residential Development Worksheet on page 28 to determine if a Proffer Reasonableness Analysis is provided below.

Proffer Reasonableness Analysis

A Proffer Reasonableness Analysis must include individual analysis for each proffer (on-site and offsite, as those terms are defined in the Statute) showing how it addresses an impact which is specifically attributable to the proposed new residential development or use. You must include an additional individual analysis for each off-site proffer showing:

1) The proffer addresses an impact to at least one offsite public facility.

- 2) That the proffer addresses a need, or an identifiable portion of a need, for a listed public facility or facilities, in excess of existing public facility capacity at the time of the rezoning or proffer condition amendment.
- 3) That the new residential development or use will receive a direct and material benefit from the proffer, with respect to any stated public facility improvement(s).

Your analysis for each proffer should clearly and separately address each of the above requirements.

Unreasonable Proffers

If you ever believe that a County official has required that you make an unreasonable proffer, as that term is defined in the Statute, you shall immediately notify the County's Director of Planning and Zoning and in any event, at least prior to when such application is considered and/or decided by the Board. In the event such a requirement is made, the County will not consider the unreasonable proffer when processing the zoning reclassification application.

Applicants should be aware that any and all project impacts can serve as a basis for denial, even though not all impacts can be mitigated by proffers under the Statute. Applicants must rely on the thoroughness of their written analysis to show how any proffers being made mitigate impacts, and to what extent. Some proffers may be deemed unreasonable and therefore unlawful because they overstate an impact, or understate available capacity at a public facility. The County may reject a proffer for being unreasonable, but it will not suggest or request that a substitute proffer be made, even if there is a substitute proffer which may be permissible under the Statute. This is due to the possibility that an unreasonable proffer could be accidentally suggested, requested, or accepted in violation of the law. It is incumbent on applicants to put forth the best possible application throughout the process.

Notwithstanding the above, the applicant or owner may, at the time of filing an application or during the development review process, submit any onsite or offsite proffer that the owner and applicant deem reasonable and appropriate, as conclusively evidenced by the signed proffers.

Election of Code Provisions for Residential Proffers Worksheet

The Code of Virginia establishes standards that localities must follow when considering conditional rezoning proffers. The legislation and accompanying standards have changed over the past several years. What standards apply is dependent on when an application is submitted. In addition, in certain instances, an applicant can elect to choose which standards to apply.

If you are submitting a proffer statement for residential developments or residential components of mixed-use properties, please complete the following form to determine which Virginia Code legislation you are electing to have applied to your project. This form also will determine if a Proffer Reasonableness Analysis is required or optional.

STEP 1: Identify what type of application is being submitted (check box that applies)		STEP 2: From the corresponding row selected in STEP 1, select the version of the state code from which you elect to have the proffers associated with this application evaluated.			
		Pre – July 1, 2016 Law	July 1, 2016 to July 1, 2019 Law	Post July 1, 2019 Law § 15.2- 2303.4 <u>Part C</u>	Post July 1, 2019 Law § 15.2- 2303.4 <u>Part D</u>
	Pending Rezoning or Proffer Amendment applications submitted prior to July 1, 2016				
	Pending Rezoning or Proffer Amendment applications submitted between July 1, 2016 and July 1, 2019				
	New Proffer Amendment application amending a Rezoning which was filed petween July 1, 2016 and July 1 2019				
1	New Rezoning applications submitted after July 1, 2019				
i J I	New Proffer Amendment applications submitted after luly 1, 2019 amending a Rezoning which was filed after July 1, 2019				

STEP 3: Corresponding Requirements based on STEP 2	Proffer Reasonableness Analysis (PRA) REQUIRED	PRA REQUIRED	PRA OPTIONAL	
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APPENDIX

Policy for filing Zoning Reclassification and Proffer Condition Amendment Applications (Resolution R16-170)

Policy for processing Zoning Reclassification and Proffer Condition Amendment Applications (Resolution R19-188) U. S. REVENUE STAMPS AMOUNTING TO \$1.10 DULY CANCELLED.

STATE OF VIRGINIA,

County of Stafford, to-wit:

In the office of the Clerk of the Circuit Court for the County of Stafford, the 16th day of October, 1952 the foregoing deed and plat was presented and with the certificate annexed, admitted to record at 3:40 P. M., and indexed.

Teste:

<u>levaulu</u> Clerk

12.0

and the second second

Verified October 16, 1952.

N. N. Berry, et als.

to

County of Stafford

THIS DEED made and entered into this 15th. day of June, 1950, by and between N.N.Berry, widower, party of the first part, T.L.Watts and Fannie Watts, his wife, parties of the second part, The Peoples Bank of Stafford, holder and James Ashby, Trustee, parties of the third part and the County of Stafford, Virginia, party of the fourth part.

WITNESSETH that for and in consideration of the sum of ten dollars and other valuable considerations cash in hand paid the receipt of which is hereby acknowledged by the party of the first, second, and third parts, the said parties

do hereby grant to the County of Stafford, Virginia, the party of the fifty part the following described properties with general warranty of title:

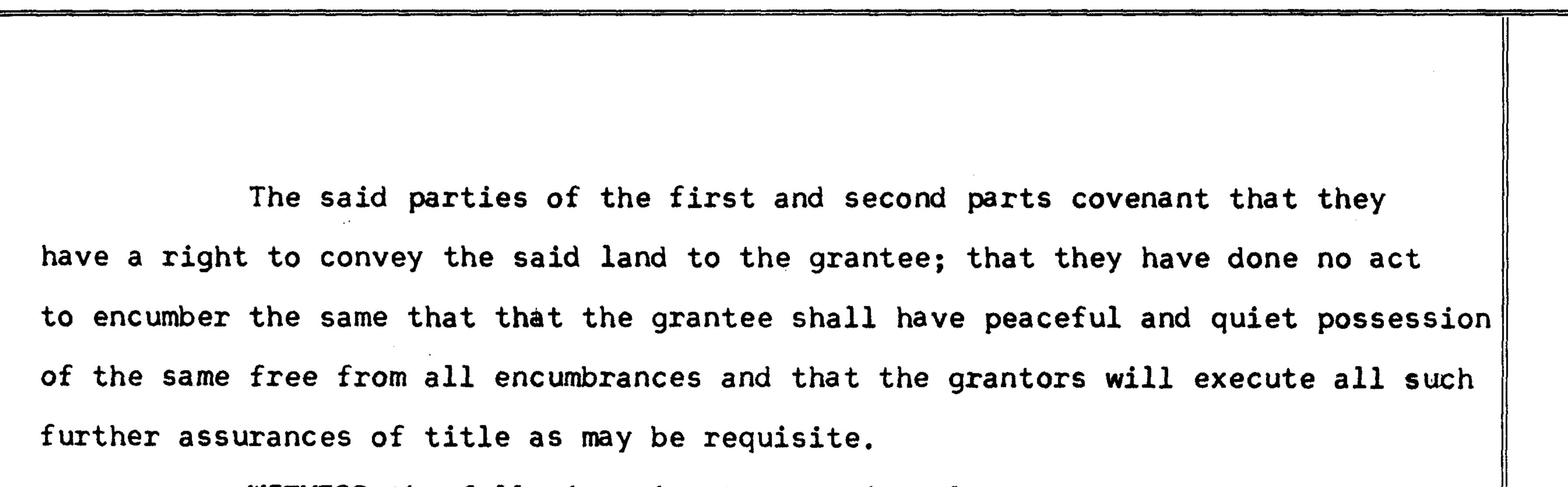
1. The said N.N.Berry, widower, party of the first part; All that certain piece, parcel or lot of land lying and being in Hartwood District, Stafford County, Virginia, containing FIVE (5) ACRES, and being described as parcel "A" on the hereinafter described plat, it is a part of the same property which was conveyed to the party of the first part by Carrie C.Bowling by deed dated December 5,1940 and of record in Deed Book 58 page 365.

2. The said T.L.Watts and Fannie Watts, his wife, parties of the second part; All that certain parcel or strip of land lying and being in Hartwood District, Stafford County, Virginia, containing EIGHTY HUNDREDTHS (0.80) OF AN ACRE and being describes as parcel "B" on the hereinafter described plat, it is a part of the same property which was conveyed to the said T.L.Watts by J.P. Dempsey, et al by deed of November 17,1923 and recorded in D.B. 20 page 477.

The two parcels of land herein described is more particularly described

by a plat and survey made by William B.Wingfield, dated July 25, 1950 which plat is attached hereto and made a part of this deed.

And the said parties of the third part, the Peoples Bank of Stafford, as Holder, and James Ashby, as Trustee, being the holder and trustee respectively in a certain deed of trust from T.L.Watts and wife, dated April 16,1949 and duly recorded in Deed Book 67 page 156, do hereby join in this deed for the purpose of releasing the land hereby conveyed from the aforesaid deeds of trust as evidence of which they have signed and sealed this deed.



WITNESS the following signatures and seals:

SFAI

PEOPLES BANK OF STAFFOR

Holder of T.L.Watts trust.

By N. N. Berry President

Teste:

146

A. W. Biscoe Cashier

SEAL

CORPORATE SEAL IMPRESSED

James Ashby Trustee

T.L.Watts deed of trust.

County of Stafford, to-wit:

14 0	TA* T	JET 1	ь <u>у</u>	
Τ.	L. V	Nat [.]	ts	SEAL
Far	nnie	Ρ.	Watts	SEAL

I, R. H. L. Chichester, a Commissioner in Chancery for the Circuit Court of Stafford County, Virginia, do hereby certify that this day personally appeared before me N.N.Berry, widower, T.L.Watts and Fannie Watts, his wife, N.N.Berry, President and A.W.Biscoe, Cashier, respectively, of the Peoples Bank of Stafford as holder and James Ashby, Trustee, in the deed of trust of T.L. Watts, whose names are signed to the foregoing deed bearing date on the 15th. day of June, 1950, and acknowledged the same before me, as such, in my County aforesaid.

Given under my hand this 18 day of June, 1950.

R. H. L. Chichester Commissioner in Chancery for the Circuit Court of Stafford County, Virginia.

PLAT RECORDED IN PLAT BOOK NO. 1, PAGE 175.

STATE OF VIRGINIA,


County of Stafford, to-wit:

In the office of the Clerk of the Circuit Court for the County of Stafford, the 17th day of October, 1952 the foregoing deed and plat was presented and with the certificate annexed, admitted to record at 9:30 A. M., and indexed.

Teste:

leales Clerk

Verified October 17, 1952.



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